

## **AGENDA**

### **TUSAYAN TOWN COUNCIL REGULAR MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, August 5, 2015 at 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a meeting open to the public on Wednesday, August 5, 2015 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

### **TOWN COUNCIL REGULAR MEETING AGENDA**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

#### **2. ROLL CALL**

**MAYOR GREG BRYAN**

**VICE MAYOR CRAIG SANDERSON**

**COUNCILMEMBER BILL FITZGERALD**

**COUNCILMEMBER AL MONTOYA**

**COUNCILMEMBER JOHN RUETER**

❖ *One or two Council Members may attend by telephone*

#### **3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

*Members of the public may address the Council on items not on the printed agenda. The Council may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.*

*Members of the audience who wish to speak to the Council on an item listed as Public Hearing should complete a Request to Speak Card and turn it into the Town Clerk. Speakers will be limited to three minutes each.*

#### **4. CEREMONIAL AND/OR INFORMATIONAL MATTERS**

**Tusayan Fire District Fire Wise presentation**

#### **5. CONSENT AGENDA**

*Items on the consent agenda are routine in nature and will be acted on with one motion and one vote. Members of the council or staff may ask the mayor to remove any item from the consent agenda to be discussed and acted upon separately.*

**A. Minutes of the Town Council Special Meetings on 6/3/15, 6/4/15, and 6/24/15 and the Regular Meeting on 6/24/15**

**B. Accounts Payable Billings**

#### **6. WORK GROUP AND COMMITTEE REPORTS**

**A. Update on the Sports Complex Work Group**

**B. Update on the Planning and Zoning Commission**

**C. Update on Affordable Housing**

**7. ACTION ITEMS**

- A. Consideration, discussion, and possible approval of establishing a date for first reading of the Tusayan Subdivision Ordinance**
- B. Consideration, discussion, and possible ratification of Certificate of Deposit (CD) renewal of July 23, 2015**
- C. Consideration, discussion, and possible approval of renewal of CD maturing on August 12, 2015**
- D. Consideration, discussion, and possible ratification of "Diamonds Back" Youth Field Building Grant Application**
- E. Consideration, discussion, and possible approval of an Assurance Agreement in support of funds for the Broadband grant**
- F. Consideration and discussion of street-side seating; possible acceptance of public bench donation**
- G. Consideration, discussion, and possible approval of League of Arizona Cities and Towns Resolutions Committee recommendations**
- H. Consideration, discussion, and possible approval of a Special Council Meeting on August 11, 2015 to award the CDBG prefabricated restroom bid recommendation; approval of cancelling the August 19, 2015 Council Meeting due to Council and Staff attendance of the annual Conference of the League of Arizona Cities and Towns**

**8. DISCUSSION ITEMS**

- A. Update and Discussion of CDBG Project**
- B. Update on broadband potential for Tusayan**

**9. TOWN MANAGER'S REPORT**

**10. FUTURE AGENDA ITEMS**

**11. COUNCIL MEMBERS' REPORTS**

**12. MAYOR'S REPORT**

**13. MOTION TO ADJOURN**

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this \_\_\_\_\_ day of August, 2015, at \_\_\_\_\_ pm in accordance with the statement filed by the Tusayan Town Council.

\_\_\_\_\_  
Signature of person posting the agenda

ITEM NO. 5A

## **TUSAYAN TOWN COUNCIL SPECIAL MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, June 3, 2015 at 5pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

### **TOWN COUNCIL SUMMARIZED MINUTES**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 5:04pm and the Pledge of Allegiance was recited.

#### **2. ROLL CALL**

Upon roll call, the following were present:

**MAYOR GREG BRYAN  
VICE MAYOR CRAIG SANDERSON  
COUNCILMEMBER BILL FITZGERALD  
COUNCILMEMBER AL MONTOYA  
COUNCILMEMBER JOHN RUETER**

Also present were:

Will Wright, Town Manager  
Melissa Malone, Town Clerk

#### **4. DISCUSSION ITEM**

**Consideration and discussion of Performance Evaluation of the Town Manager**

**The Town Council may decide to go into executive session pursuant to A.R.S. § 38-431.03(A)(1) for Personnel Evaluation of the Town Manager.**

At 5:07pm, Councilmember Montoya made a motion to take the Council into Executive Session. Councilmember Reuter seconded the motion and it passed on unanimous vote.

The Council discussed the performance evaluation of the Town Manager.

At 6:15pm, Councilmember Reuter made a motion to exit the Executive Session. Councilmember Montoya seconded the motion and it passed on unanimous vote.

Mayor Bryan Stated that the Council determined that they needed to meet again on this topic on the next evening. They requested that another Special Meeting be posted for June 4, 2015 at 6:45pm.

#### **5. MOTION TO ADJOURN**

Councilmember Montoya made a motion to adjourn the meeting at 6:16pm. Councilmember Reuter seconded the motion and it passed on unanimous vote.

ATTEST:

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Melissa M. Drake, Town Clerk

CERTIFICATION

State of Arizona       )  
                                  ) ss.  
Coconino County       )

I, Melissa M. Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on June 3, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 30<sup>th</sup> day of June, 2015

\_\_\_\_\_  
TOWN CLERK

## **TUSAYAN TOWN COUNCIL SPECIAL MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, June 4, 2015 at 5pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

### **TOWN COUNCIL SUMMARIZED MINUTES**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 6:50pm and the Pledge of Allegiance was recited.

#### **2. ROLL CALL**

Upon roll call, the following were present:

**MAYOR GREG BRYAN**

**VICE MAYOR CRAIG SANDERSON** – joined the meeting at 7:10pm

**COUNCILMEMBER BILL FITZGERALD**

**COUNCILMEMBER AL MONTOYA**

**COUNCILMEMBER JOHN RUETER**

Also present were:

Will Wright, Town Manager

Melissa Malone, Town Clerk

#### **4. DISCUSSION ITEM**

##### **Consideration and discussion of Performance Evaluation of the Town Manager**

**The Town Council may decide to go into executive session pursuant to A.R.S. § 38-431.03(A)(1) for Personnel Evaluation of the Town Manager.**

At 6:52pm, Councilmember Reuter made a motion to take the Council into Executive Session. Councilmember Montoya seconded the motion and it passed on unanimous vote.

The Council discussed the performance evaluation of the Town Manager.

At 7:59pm, Councilmember Montoya made a motion to exit the Executive Session and re-enter the Public Meeting. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

Councilmember Montoya made a motion to accept the Town Manager's resignation with a 30 day notice and a separation agreement with severance package. Councilmember Reuter seconded the motion and it passed on unanimous vote.

Mayor Bryan stated that the Council will contract with Interim Public Management, Inc. for a consultant to serve as the Interim Town Manager. At a later date, a search for a permanent Town Manager will begin.

**5. MOTION TO ADJOURN**

Councilmember Reuter made a motion to adjourn the meeting at 8:05pm.  
Councilmember Montoya seconded the motion and it passed on unanimous vote.

**ATTEST:**

\_\_\_\_\_  
**Greg Bryan, Mayor**

**Date**

\_\_\_\_\_  
**Melissa M. Drake, Town Clerk**

**CERTIFICATION**

State of Arizona       )  
                                  ) ss.  
Coconino County       )

I, Melissa M. Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on June 4, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 7<sup>th</sup> day of July, 2015

\_\_\_\_\_  
**TOWN CLERK**

## **TUSAYAN TOWN COUNCIL SPECIAL MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Wednesday, June 24, 2015 at 5:45pm  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

### **TOWN COUNCIL SUMMARIZED MINUTES**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 5:50pm and the Pledge of Allegiance was recited.

#### **2. ROLL CALL**

Upon roll call, the following were present:

**MAYOR GREG BRYAN**  
**VICE MAYOR CRAIG SANDERSON**  
**COUNCILMEMBER BILL FITZGERALD**  
**COUNCILMEMBER AL MONTOYA**  
**COUNCILMEMBER JOHN RUETER - excused**

Also present were:

Will Wright, Town Manager  
Melissa Malone, Town Clerk

#### **3. PUBLIC HEARING ON FINAL TOWN BUDGET FOR FISCAL YEAR 2015-2016**

Mayor Bryan opened the public hearing and requested comments. There were none.

Mayor Bryan closed the public hearing.

#### **4. ACTION ITEM**

**Consideration, discussion, and possible approval of Final Town Budget for Fiscal Year 2015-2016**

Councilmember Montoya made a motion adopt Resolution 2015-05 and the Final Budget. Vice Mayor Sanderson seconded the motion and it passed on a vote of 3 to 1 with Councilmember Fitzgerald voting "No."

#### **5. MOTION TO ADJOURN**

Councilmember Montoya made a motion to adjourn the meeting at 5:54pm. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.



ATTEST:

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Melissa M. Drake, Town Clerk

CERTIFICATION

State of Arizona       )  
                                  ) ss.  
Coconino County       )

I, Melissa M. Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on June 24, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 24<sup>th</sup> day of June, 2015

\_\_\_\_\_  
TOWN CLERK

## **TUSAYAN TOWN COUNCIL REGULAR MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Wednesday, June 24, 2015 at 6:00pm  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

### **TOWN COUNCIL SUMMARIZED MINUTES**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 6:03pm and the Pledge of Allegiance was recited.

#### **2. ROLL CALL**

**MAYOR GREG BRYAN**  
**VICE MAYOR CRAIG SANDERSON**  
**COUNCILMEMBER BILL FITZGERALD**  
**COUNCILMEMBER AL MONTOYA**  
**COUNCILMEMBER JOHN RUETER** - excused

Also present were:

Will Wright, Town Manager  
Melissa M. Drake, Town Clerk

#### **3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

John Vail addressed the Council representing the Tusayan Fire District and thanked them for the Town's support.

Julie Aldaz thanked the Council for getting the crosswalk signs installed but suggested the push buttons be turned. She also stated that the led light color does not show well in the daytime.

#### **4. CEREMONIAL AND/OR INFORMATIONAL MATTERS**

**Tusayan Fire District Fire Wise presentation**

The presenter was not available due to a family emergency

#### **5. CONSENT AGENDA**

**A. Minutes of the Town Council Regular Meeting on 6/3/15**

**B. Accounts Payable Billings**

Mayor Bryan noted a correction on check # 2650. He stated that it should be for the Tusayan Access Application, not the Affordable Housing Project.

Councilmember Montoya made a motion to approve the Consent Agenda with the change noted. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

## **6. WORKGROUP AND COMMITTEE REPORTS**

### **A. Update on the Sports Complex Work Group**

None

### **B. Update from the Planning and Zoning Commission**

Manager Wright stated that the Planning and Zoning Commission met last night and requested a joint meeting with the Council. Rick Schuller, Town Engineer, stated that there were minor changes to the Subdivision Regulations and the Commission wants to include the Council in final word-smithing. The Council will participate in the next Commission Meeting on July 28, 2015.

### **C. Update on Affordable Housing**

Manager Wright stated that Catalyst Architecture sent a draft mailer today and he forwarded it to the Council.

## **7. ACTION ITEMS**

### **A. Consideration, discussion, and possible approval of Resolution 2015-06 supporting US Senate Bill 1416, a bill to prevent the President from changing the federal water-rights designation of lands declared to be national monuments**

Mayor Bryan stated that the bill is sponsored by Senator Flake, Senator McCain, Senator Hatch, and Senator Lee and has been proposed to limit the President's right to change the federal water-rights designation of lands declared to be national monuments.

Mayor Bryan made a motion to approve Resolution 2015-06. Councilmember Montoya seconded the motion and it passed on unanimous vote.

### **B. Consideration, discussion, and possible approval of Resolution 2015-07 and an Intergovernmental Agreement (IGA) between the Town of Tusayan and the Arizona Department of Revenue related to Uniform Administration of the Town's Transaction Privilege Tax**

Manager Wright introduced the resolution and IGA stating that it is required by the state as part of their Tax Simplification Project.

Clarinda Vail noted that the language in the Resolution does not match the language in the IGA regarding specific taxes to be collected by the State. Mayor Bryan stated that both the IGA and the Resolution are standard for all cities and towns.

Vice Mayor Sanderson made a motion to approve Resolution 2015-07. Councilmember Montoya seconded the motion and it passed on unanimous vote.

**C. Consideration, discussion, and possible approval of supporting an effort by the Town of Mammoth, Arizona to increase state funding for small towns**

Manager Wright stated that this item was discussed in the last Council Meeting. He stated that neither he nor Mayor Bryan were able to contact the Mayor of the Town of Mammoth to (1) request revenue projections on each item proposed, (2) request information on the feedback he has received, and (3) inform him that this Council opposes the driver's license portion of this request.

Vice Mayor Sanderson made a motion to draft a letter in support of the Town of Mammoth's efforts to raise small town funding excluding the driver's license portion of the proposal. Councilmember Montoya seconded the motion and it passed on unanimous vote.

**D. Consideration, discussion, and possible approval of pursuing the USDA Rural Community Development Initiative (RCDI) Grant for Tusayan Broadband Improvements**

Manager Wright noted an e-mail in the packet from Bill Bolin regarding a grant to improve broadband services in Tusayan. The Council discussed the request. Manager Wright stated that a decision would be made in October and if approved by the USDA, a 100% match in funds would be required from the Town.

Councilmember Montoya made a motion to approve pursuit of the USDA RCDI Grant. Vice Mayor Sanderson seconded the motion.

Councilmember Fitzgerald asked what would happen if one region in the grant cannot meet the matching funds requirement. Mayor Bryan stated that this question be answered, as well as a status on this item at the August 5, 2015 meeting.

The motion passed unanimously.

**E. Consideration, discussion, and possible selection of a date for a special Council meeting for a Public Hearing on a liquor license Acquisition of Control for Plaza Bonita Restaurant**

Clerk Drake stated that an application for Acquisition of Control of the liquor license at Plaza Bonita has been made to change ownership from a group which includes the owner of Plaza Bonita to sole ownership by the owner of Plaza Bonita. The deadline for input from the Town to the State is August 1 and the public hearing must be posted for at least 20 days prior. She stated that if the posting occurs on June 25, 2015, the earliest the public hearing may be held is July 15, 2015.

Vice Mayor Sanderson made a motion to have the public hearing on July 28, 2015 at 5:00pm. Councilmember Montoya seconded the motion and it passed on unanimous vote.

**F. Consideration, discussion, and possible action to cancel or move the regular meeting scheduled for August 19, 2015**

Mayor Bryan stated that this meeting is scheduled at the same time as the League Conference.

The Council took no action.

**G. Consideration, discussion, and possible approval of Bid Packet for dirt work at the Sports Complex**

Rick Schuller, Town Engineer, updated the Council on the status of this project and the Bid Packet for earth moving at the Sports Complex. He stated that the Grand Canyon National Park Airport has agreed to allow the Town and the School District to use a dirt pile on their property as fill dirt for the project.

The Council discussed the project with Mr. Schuller and Manager Wright.

Mayor Bryan noted that in the plan, it appears that there will not be enough space for access to the future school. Councilmember Fitzgerald stated that the plan should include additional parking.

Clarinda Vail asked if the Sports Complex Work Group has seen the design and expressed similar concerns to the Mayor's comments about access. She was also concerned about the location of fencing since sports balls could go into the street.

Mayor Bryan suggested that the Council should not act hastily. He also suggested that the Sports Complex Work Group and the School District Board should be able to give input on the design and then it should come back to the Council in August.

**H. Consideration, discussion, and possible approval of Bid Packet for restrooms and ADA improvements at the Sports Complex**

Rick Schuller, Town Engineer, updated the Council on the status of this project and the Bid Packet for restrooms and ADA improvements at the Sports Complex. He stated that if the Tusayan Sanitary District owned the sewer and water lines, it could be a solution to the legal issues surrounding utilities. Bob Petzoldt, representing the Sanitary District, stated that preliminary discussions with the District's Board of Directors and their legal counsel looked favorable for this solution.

Mayor Bryan noted that the deadline for the completion of the CDBG Project is January 1, 2016 and time is running out.

The Council discussed the options with Mr. Schuller, Manager Wright, Mr. Petzoldt, and Mr. and Mrs. Vail and the entire group will work together to definitively determine if this new option will work by the July 28, 2015 Council meeting.

Mr. Schuller will determine construction costs for the solution within 2 weeks and report to the Mayor. He will also have bid packages for the vault-and-haul solution as well as the new solution by the July 28, 2015 meeting.

Mr. Petzoldt will determine, within 2 weeks, if the Sanitary District Board is willing to take ownership of both the sewer and water lines for the project. He will also determine, through their legal counsel, if there are any legal obstacles to this.

Mr. and Mrs. Vail requested a new meter be placed at their home at the Town's expense and that the Town be responsible for any repairs should there be any failures.

Mayor Bryan will coordinate with the Town Attorney on the questions regarding the easement, the IGA with School District, and a maintenance agreement with the Sanitary District. He will also coordinate with the School District and Hydro Resources to see what issues might exist.

If all issues are not resolved for the new solution by the July 28, 2015 meeting, the Council will proceed with the vault-and-haul option.

**I. Consideration, discussion, and possible approval of reimbursement rates for Town Magistrate Office**

Manager Wright noted an e-mail from Judge Krombeen regarding reimbursement rates for the Magistrate's Office travelling to Tusayan to hold Court at Tusayan Town Hall.

Vice Mayor Sanderson made a motion to approve the meal, lodging, and mileage reimbursement rates as proposed in the e-mail. Councilmember Montoya seconded the motion and it passed on unanimous vote.

**J. Consideration, discussion, and possible action regarding review of Interim Town Manager resumes and process for selection**

The Town Council may decide to go into executive session pursuant to A.R.S. § 38-431.03.A.1 for discussion or consideration of persons to serve as Interim Town Manager. Following the executive session, the Council may act to appoint the Mayor and Vice-Mayor to serve as a subcommittee of the Council in order to (i) interview candidates to serve as Interim Town Manager; (ii) select a person to serve as Interim Town Manager; and (iii) authorize a contract with Interim Public Management to make such person available to serve as Interim Town Manager.

Mayor Bryan moved this item to the end of the meeting.

**8. DISCUSSION ITEMS**

**A. Presentation of maps from the map integration project (Woodson Engineering)**

Rick Schuller, Town Engineer, presented new maps of the Town which were created using aerial mapping data and as well as other available information.

## **B. Update on hydrologic analysis and drainage improvements (Woodson Engineering)**

Rick Schuller, Town Engineer, stated that he has started conversations with the Coconino County Flood District and now Tusayan is part of their flood plain analysis project which will involve the State and FEMA. He stated that the County is willing to fund the second half of the study after July 1, 2015. He also stated that mitigation work on basins outside of the Town is already in progress.

Clarinda Vail asked when stakeholder meetings will be held and when the documentation submitted to the County will be available. Mr. Schuller stated that stakeholder meetings will be coming soon and the documentation will be available after the County is able to proceed with the study, after July 1.

## **9. TOWN MANAGER'S REPORT**

Manager Wright noted that his project status and transition report was e-mailed to the Council a few days ago and answered the following:

- Councilmember Fitzgerald asked Manager Wright if there had been any progress on Xanterra allowing fiber in their right-of-way. Manager Wright stated "no" but their statement was that they are "amenable" to the idea, not that they approve it.

Mayor Bryan stated that this is Manager Wright's last meeting and thanked him for his service to the Town and hoped he enjoys his retirement

## **10. FUTURE AGENDA ITEMS**

Not discussed

## **11. COUNCIL MEMBERS' REPORTS**

None

## **12. MAYOR'S REPORT**

Mayor Bryan stated the following:

- NACOG's Economic Development Council is renewing its list of projects. He stated that he will leave Tusayan's "as is" unless the Council has other input
- the Coconino Plateau Water Advisory Council (CPWAC) has a meeting on Friday and the primary discussions will be regarding education and conservation, not on the pipeline proposal
- The League of Arizona Cities and Towns has a proposal regarding a service line warranty program. He will ask the Sanitary District and Hydro Resources for their input.
- He met with Pamela Edwards with the National Park Service on Tuesday regarding extending the Tusayan shuttle for additional time. She stated that the cost was about \$60,000 per month. He asked her to look at several options for expanding the service and she should get back with us in 4-6 weeks.

**The Council took a break from 9:10pm to 9:18pm**

**7.J. Consideration, discussion, and possible action regarding review of Interim Town Manager resumes and process for selection**

The Town Council may decide to go into executive session pursuant to A.R.S. § 38-431.03.A.1 for discussion or consideration of persons to serve as Interim Town Manager. Following the executive session, the Council may act to appoint the Mayor and Vice-Mayor to serve as a subcommittee of the Council in order to (i) interview candidates to serve as Interim Town Manager; (ii) select a person to serve as Interim Town Manager; and (iii) authorize a contract with Interim Public Management to make such person available to serve as Interim Town Manager.

At 9:18pm, Councilmember Montoya made motion to take the Council into Executive Session. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

The Council discussed resumes of potential consultants to serve as Interim Town Manager.

At 9:40pm, Councilmember Montoya made motion to adjourn the Executive Session. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

In open session, Councilmember Montoya made motion to direct the Mayor and Vice Mayor to conduct interviews, select a consultant to serve as Interim Town Manager, and execute a contract for that consultant. Councilmember Fitzgerald seconded the motion and it passed unanimously.

**13. MOTION TO ADJOURN**

Councilmember Fitzgerald made a motion to adjourn the meeting at 9:41pm. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

**ATTEST:**

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Melissa M. Drake, Town Clerk



**CERTIFICATION**

State of Arizona       )  
                                  ) ss.  
Coconino County       )

I, Melissa M. Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on June 24, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 27<sup>th</sup> day of July, 2015

\_\_\_\_\_  
Town Clerk

ITEM NO. 7A

TITLE 13  
SUBDIVISION STANDARDS - Draft

**Contents**

CHAPTER 13-1. ADMINISTRATION .....	3
CHAPTER 13-2. APPLICATION PROCEDURES .....	5
13-2-1. General Provisions .....	5
13-2-2. Pre-application Conference .....	7
13-2-3. Concept Plan .....	7
13-2-4. Development Master Plan .....	9
13-2-5. Preliminary Plat .....	11
13-2-6. Subdivision Technical Review .....	14
13-2-7. Final Plat .....	15
13-2-8. Assurances for Public Improvements .....	19
13-2-9. Minor Land Divisions .....	21
13-2-10. Lot Line Adjustments .....	23
CHAPTER 13-3. DESIGN PRINCIPLES .....	<u>25</u> 24
13-3-1. Street Location and Arrangement .....	<u>25</u> 24
13-3-2. Streets .....	<u>26</u> 25
13-3-3. Blocks .....	<u>27</u> 26
13-3-4. Lots .....	<u>28</u> 27
13-3-5. Easements .....	<u>28</u> 27
13-3-6. Water, Sewer and Reclaimed Water Facilities .....	<u>28</u> 27
13-3-7. Drainage .....	<u>29</u> 28
13-3-8. Street Lights .....	29
CHAPTER 13-4. IMPROVEMENT REQUIREMENTS .....	<u>31</u> 30
13-4-1. Public Improvement Requirements .....	<u>31</u> 30
13-4-2. Development Agreement .....	<u>38</u> 37
13-4-3. Recapture Agreement .....	<u>40</u> 39
CHAPTER 13-5. MODIFICATIONS, APPEALS AND ENFORCEMENT .....	<u>41</u> 40
13-5-1. Modifications .....	<u>41</u> 40
13-5-2. Appeals .....	<u>41</u> 40

13-5-3. Enforcement.....	<u>4140</u>
13-5-4. Severability.....	<u>4241</u>
CHAPTER 13-6. TERMINOLOGY.....	<u>4342</u>
13-6-1. Usage.....	<u>4342</u>
13-6-2. Definitions.....	<u>4342</u>

## CHAPTER 13-1. ADMINISTRATION

- A. **Title:** These regulations shall be known as the Town of Tusayan Subdivision Standards, may be cited as such, and will be referred to herein as "these Standards."
- B. **Purpose and scope:** The purpose of these Subdivision Standards is to ensure the orderly growth and harmonious development of the Town of Tusayan; to provide convenient traffic circulation on a coordinated street system with major thoroughfares adjoining subdivisions; to ensure the adequate provision of water, drainage facilities, sanitary sewerage, and other utilities; to provide adequate sites for schools, recreation areas, and other public facilities; and to facilitate the accurate conveyance of ownership of land by accurate legal description; and to provide procedures for the achievement of these purposes.

These regulations accommodate growth by considering the need for services generated by development together with public ability to provide and/or private willingness to contribute to the costs of these services. It applies to all properties proposed for subdivision, land split, or lot line adjustment within the Town limits. No building or other development permit required by the Town may be issued for property which has been divided or adjusted in violation of these Subdivision Standards.

A "Subdivision" is defined as improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded Plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but Plats of such projects need not show the buildings or manner in which the buildings or airspace above the property shown on the Plat are to be divided. "Subdivision" does not include the following:

1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
  2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
  3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.
- C. **Application and Interpretation:** Circumvention of these Subdivision Standards is prohibited.

No person may sell, offer to sell, or divide any portion of any lot or parcel of land, or change the location of a property line of an existing lot or parcel within the Town limits without obtaining the approval of the Town as required by these Subdivision Standards. No land may be divided, and no property line location may be changed, in a way that would result in the creation of a property that would not conform to the requirements of the Town of Tusayan Zoning Code or these Subdivision Standards.

The interpretation and application of the provisions of these Subdivision Standards shall be made by the Town Manager, (Manager). Where any provision of these Subdivision Standards imposes restrictions different from those imposed by any other provision, or any other ordinance, rule or regulation, or other provision of law, the provision which is more restrictive or imposes higher standards controls. Nothing contained in these regulations shall be construed as releasing a Developer, as defined in Chapter 13-6 Terminology of these Subdivision Standards, from the requirements of the Arizona Revised Statutes.

- D. **Administration:** The Town Manager is hereby authorized to receive, process, and otherwise act upon a Concept Plan, Preliminary and Final Subdivision Plats in accordance with these regulations. The Town Planning and Zoning Commission and Town staff are hereby designated as advisory agents to the Town Manager and to the Town Council and are charged with the duty of investigating and reporting upon matters referred to them in accordance with these regulations.
- E. **Fees:** Fees for Town services provided in the administration of these Subdivision Standards shall be set by Resolution of the Town Council.

## CHAPTER 13-2. APPLICATION PROCEDURES

### 13-2-1. General Provisions

- A. **In general:** Every land division and lot line adjustment shall conform to the goals and objectives of the Town of Tusayan Zoning Code and other ordinances adopted by the Town Council and laws of the State of Arizona that specifically relate to subdivisions and the development of land.
- B. **Reservation of public land:** Where a tract to be subdivided contains all or any part of a park, school, flood control facility or other area shown on the general plan as a public area, or required by Town Council as a public area, the Town may require such site shall be dedicated to the public or reserved for acquisition by the public within a specified time period.

The Town may reserve land within a proposed subdivision for public schools and parks, recreational facilities, open space, water and wastewater facilities and public safety annexes, subject to the following conditions:

1. The required reservations are in accordance with principles and standards adopted by the Town Council.
  2. The land reserved shall be in the size and shape as to permit the remainder of the land area in which the reservation is located to develop in an orderly and efficient manner.
  3. The public agency for whose benefit an area has been reserved shall have a period of one year or such extended period as may be mutually agreed upon after the recording of the Final Plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of the filing of the Preliminary Plat plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the Developer in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area by such public agency and the Developer.
  4. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in paragraph three above, within the agreed upon period of time, the reservation of such area shall terminate unless a mutually agreeable time extension is consummated.
- C. **Owner/agent authorization:** Applications may only be submitted by property owners or their authorized representatives. The Town Manager may require proof of ownership or authorized representation prior to accepting an application.

- D. **Mandatory Applicant Attendance:** Applicants, or their representative with authority to speak for and bind the Applicant, shall be present at all meetings and public hearings required under this Section. If the Applicant or the Applicant's representative failed to attend a meeting and public hearing required under these Subdivision Standards, the Town may conduct such meeting and public hearing without the attendance of the Applicant or the Applicant's representative.
- E. **Representations of Applicant Binding:** All representations by the Applicant, or by the Applicant's authorized Representative, made in writing, or during any Town public meeting or public hearing or by any submitted plan, Plat, drawing, or other graphic depiction in support of the application, and designated in the record by the Planning and Zoning Commission and/or Town Council shall be deemed to be part of the project record.
- F. **Zoning Standards:** Proposed Subdivisions must be designed to meet the specific requirements of the Zoning District in which they are located. In the event that a change in zoning is required to enable the development to be built as proposed, any necessary zoning amendment must be initiated by the property owner (or authorized representative) in accordance with the applicable procedures for processing applications for changes in zoning set forth in the Town of Tusayan Zoning Code. No subdivision Final Plat for which a zone change is required may be approved by the Town until the required zone change has been approved by the Town Council. Submission and review for the zone change and the subdivision Final Plat may occur concurrently.
- G. **Outline of the review process:** The preparation, review and approval of Subdivisions within the Town limits shall proceed through the following progressive stages:
1. Pre-application conference with Town Manager (informal, non-mandatory, 13-2-2)
  2. Concept Plan with the Development Review Committee (Sec 13-2-3)
  3. Development Master Plan (Sec 13-2-4, If required by Town Manager)
  4. Preliminary Plat submittal considered by Planning and Zoning Commission and Town Council (Sec 13-2-5)
  5. Subdivision technical review – considered and reviewed by Town staff in coordination with pertinent service providers. (Sec 13-2-6)
  6. Final Plat submittal – considered by Town Council (Sec 13-2-7)



### **13-2-2. Pre-application Conference**

The pre-application conference stage of the development planning process is an informal investigatory period which precedes actual preparation of plats or improvement plans by the Developer that is not mandatory. During this time, the Developer makes their intentions known to the Town, is advised of specific public objectives related to the subject tract, and is provided detailed information regarding platting procedures and requirements by the Town Manager.

### **13-2-3. Concept Plan**

#### **A. Application Procedures and Requirements**

The Concept Plan stage of land subdivision involves general subdivision planning, submittal, review, and approval of the Concept Plan. The Concept Plan must be accompanied by payment of the prescribed fees. The Developer must provide all essential information outlined below to enable the Town to determine the character and general acceptability of the proposed subdivision

#### **B. Concept Plan Submission**

1. A non-refundable Concept Plan filing fee (See Tusayan Resolution, Fee Schedule);
2. A brief project narrative with a description of the proposed project.
3. The required number of copies as specified in the Town of Tusayan Subdivision Application packet.
4. Concept Plan shall show:
  - a. Land use(s), street alignments, lot(s) arrangement and tentative lot sizes
  - b. Concept locations of water, wastewater, solid waste, drainage and other applicable service providers.
5. Preliminary Utility Statement-A sealed statement from a registered engineer that will address the proposed utility connections including sewer, water and dry utilities. It will also specifically list the approvals that will be required to be obtained with the construction documents (ie ADEQ, Sanitary District or other service provider approvals and a determination if a Utility Impact Analysis is required per the Tusayan Design Standards.
6. Preliminary Traffic Statement : A sealed statement from a registered engineer that will address the impact of new subdivision on existing

roadways, the condition and capacity of existing streets, typical cross-sections, and determine if a Traffic Impact Analysis is required per the Tusayan Design Standards.

7. Preliminary Drainage Report: A sealed preliminary report from a registered engineer that addresses detention, floodplains, the proposed drainage system, the impacts of increased runoff due to development, the impacts to downstream property, and determine if a Drainage Impact Analysis is required per the Tusayan Design Standards.

**C. Concept Plan Review and Approval Process:**

1. The Development Review Committee will meet to discuss the proposal with the Developer and provide input and suggestions regarding procedural steps, public policy objectives, design and improvement standards, and general platting requirements. Then, depending upon the scope of the proposed subdivision, the Committee will:
  - a. Check existing zoning standards applicable to the tract/property and advise if changes in zoning and/or variances are necessary.
  - b. Determine per the Design Standards if Impact Analysis may be required to be submitted by the Developer to determine the adequacy of existing or proposed public places and facilities for servicing the proposed development.
  - c. Inspect the site or otherwise determine its relationship to major streets, utility systems, and adjacent land uses, and identify any unusual problems such as those related to topography, utilities, drainage, etc.
  - d. Identify the third party approvals that will be required prior to the approval of the Preliminary Plat, including but not limited to ADOT, the Forest Service, Sanitary District, Water Provider, and Fire District.
  - e. Determine whether a Development Master Plan (13-2-4) will be required prior to the preparation of a Preliminary Plat.
2. Review Timelines are specified in the Tusayan Subdivision Application Packet.
3. After the review of the Concept Plan by the Development Review Committee, the Town Manager will direct the Developer to the appropriate next step in the process.
  - a. **Preliminary Plat:** If the Concept Plan involves a subdivision only, the Town Manager will advise the Developer to proceed with

the preparation of a Preliminary Plat to be considered by the Planning and Zoning Commission and the Town Council.

- b. **Development Master Plan:** A Development Master Plan (DMP) may be required by the Town Manager prior to the preparation of a Preliminary Plat if there is not a zoning change required and one or more of the following conditions apply:
  - i. The tract/property is sufficiently large to comprise an entire neighborhood,
  - ii. The tract/property is to be developed in multiple phases,
  - iii. The tract/property is a portion of a larger contiguous landholding of the Developer, or
  - iv. The tract/property is part of a larger land area that is complicated by unusual topographic, utility, land use, land ownership, or other conditions.

#### **13-2-4. Development Master Plan**

##### **A. Application Procedures and Requirements**

- 1. If directed to prepare a Development Master Plan by the Town Manager, the Plan must be submitted within six (6) months of approval of Concept Plan. If this requirement is not met, the Developer may be required to resubmit a Concept Plan.
- 2. The Town Manager may require the Developer to prepare a Development Master Plan (DMP) if one of the conditions above is applicable to the site and a zoning change is not required for the project. If a zoning change is required, the requirements of the Town of Tusayan Zoning Code shall apply. The entire land area covered by the DMP need not be under the Developer's control.

##### **B. Development Master Plan Submission**

- 1. A non-refundable Development Master Plan filing fee (See Tusayan Resolution, Fee Schedule);
- 2. A brief project narrative with a description of the proposed project.
- 3. The required number of copies of the Development Master Plan as specified in the Subdivision Application packet showing:
  - a. General street pattern with particular attention to collector streets and future circulation throughout the development.
  - b. General location and size of existing and proposed school sites, parks, and other public areas.
  - c. Location of shopping centers, multi-family residential or other non-

- residential land uses.
- d. Methods proposed for sewage disposal, water supply and storm drainage.
- e. Approximate densities and intensities of various land uses.

**C. Development Master Plan review and approval**

1. Review Timelines are specified in the Tusayan Subdivision Application Packet. Upon acceptance of an application for approval of a Development Master Plan, the Town Manager will advise the applicant if the submittal is complete
2. Copies of complete applications will be forwarded to the Town staff and other third party agencies and service providers their review and comment:
3. The reviewing agencies and departments may submit their comments and recommendations in regard to the application to the Town Manager. The Town Manager will then summarize the received comments and recommendations, prepare a staff report and present it to the Planning and Zoning Commission.
4. The Planning and Zoning Commission shall consider the proposed Development Master Plan at its next regularly scheduled meeting no sooner than twenty-one (21) calendar days after an application has been approved by staff. Upon a recommendation of approval, approval with conditions, or denial by the Commission on the Development Master Plan, the Town Council shall consider the proposed Development Master Plan within sixty (60) calendar days of the Commission's recommendation.
5. Development Master Plan approval by the Town Council constitutes authorization for the Developer to proceed with the preparation and submittal of the Preliminary Plat.
6. Upon approval of the general design approach by the Planning and Zoning Commission and Town Council, the DMP shall be followed by the preparation of a Preliminary Plat. If development is to take place in several phases, the DMP must be submitted as a supporting document for each phase. The DMP must be kept up to date by the Developer as modifications take place.

### 13-2-5. Preliminary Plat

#### A. Application Procedures and Requirements

1. **In general:** The Preliminary Plat stage of land subdivision involves detailed subdivision planning, submittal, review, and approval of the Preliminary Plat. The Preliminary Plat must substantially conform to the Concept Plan and may only be submitted subsequent to the approval by Town Manager, and must be accompanied by payment of the prescribed fees. The Developer must provide all essential information outlined below to enable the Town to determine the character and general acceptability of the proposed subdivision.
2. Within six (6) months of approval of Concept Plan or the Development Master Plan (DMP), an applicant shall apply for a Preliminary Plat for a subdivision. If this requirement is not met, the Developer may be required to resubmit a Concept Plan.
3. **Diminution of fair market value waiver required:** An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § 12-1134, must be submitted with the Preliminary Plat application. The Town may request an updated waiver at subsequent stages in the Town review and approval process, including following final Town Council approval.

#### B. Preliminary Plat Submission: In addition to a completed Preliminary Plat application form, a complete submittal shall include:

1. A non-refundable Preliminary Plat filing fee (See Tusayan Resolution, Fee Schedule);
2. A brief project narrative with a description of the proposed project.
3. The required number of copies of the Preliminary Plat as specified in the Subdivision Application packet showing:
  - a. **Identification and descriptive data**
    - i. Proposed subdivision name, location by township, range, and section, and reference by dimension and bearing to a section or quarter section corner.
    - ii. North arrow, scale and date of preparation.
    - iii. Name, address and phone number of the owner, and of the engineer, surveyor, landscape architect or land planner who prepared the Plat.
    - iv. Professional Seal

- v. Vicinity map showing the relationship of the proposed subdivision to main traffic arteries and any other landmarks that would help to locate the project.
- vi. Assessor's parcel numbers for all abutting properties.

b. **Existing conditions data**

- i. Topography by one- (1), two- (2) or five- (5) foot contour intervals adequate to reflect the character and drainage of the land as determined by the Town Engineer, and related to U.S. Coastal and Geodetic Survey (USC&GS) datum, or other approved datum.
- ii. Surveyed location of all existing improvements on public rights of way and private property including land use, structures and fences, walls, sheds, barns, utility lines, wells, streams, irrigation canals and structures, private and public culverts, ditches, washes, lakes, water features of all types, direction of flow, flow pattern, location and extent of areas subject to inundation, and whether such inundation is frequent, periodic, or occasional and data regarding frequency.
- iii. Location, width, and names of all platted or otherwise defined streets, drainage and utility easements, public areas, and municipal boundaries within, adjacent to, or extending from the property.
- iv. Location of historic and archaeological sites, if any.
- v. Acreage and zoning of the property and abutting properties.
- vi. Complete boundary dimensions of the property.
- vii. Evidence of adequate legal access from an existing public right-of-way.

c. **Proposed conditions data**

- i. Proposed lot configuration, including approximate size and dimensions of each lot, and identification of each lot by number, and total number of lots; building setback lines; street light locations; hydrant locations; street layout, including location, width, curve radii, and proposed names.
- ii. Identification of average and minimum lot size(s).
- iii. Designation of all land(s) to be dedicated and reserved for public use with use and acreage for each indicated.
- iv. Location of all proposed private, public and controlled access streets and identification of all access devices on local streets within the subdivision; their means of accomplishing access control (e.g. signage, traffic barriers, gates, etc.) and monitoring devices and facilities; and their hours of operation and standards and procedures for admittance.

iv-v. If phasing is proposed, it must be indicated on the Preliminary Plat.

3. Statement of process to comply with ARS§ 9-463.01.Q for the Determination of Water Adequacy shall be included.
4. Approvals from the pertinent service providers that state that the subdivision can be served.
5. **A Sewer and/or Water Impact Analysis**, if required per the Design Standards, must be submitted and approved by the Town Engineer before the Preliminary Plat will be approved.
6. **A Traffic Impact Analysis**, if required per the Design Standards, must be submitted and approved by the Town Engineer before the Preliminary Plat will be approved.
7. **A Drainage Impact Analysis**, if required per the Design Standards, must be submitted and approved by the Town Engineer before the Preliminary Plat will be approved.
8. **CCRs**: If necessitated by the subdivision (as determined by the Town Manager), a preliminary draft or outline of protective Covenants, Conditions and Restrictions (CCR's) that demonstrate the proposed theme and character of the proposed subdivision. The possible necessity of CCR's will be discussed at the Pre-Application Conference.
9. **Development Agreement**: If necessitated by the subdivision (as determined by the Town Manager), a preliminary draft of the Development Agreement (DA). The possible requirement of a Development Agreement will be discussed at-with the Concept Plan.
10. Such other information determined by the Town Manager to be necessary to complete a thorough analysis of the Preliminary Plat in terms of its compliance with all Town codes, ordinances, rules and regulations.

C. **Preliminary Plat review and approval**

1. Review Timelines are specified in the Tusayan Subdivision Application Packet. Upon acceptance of an application for a Preliminary Plat, the Town Manager will advise the applicant if the submittal is complete.
2. Copies of complete applications will be forwarded to the Town staff, pertinent service providers, and public safety agencies for their review and comment.
3. The Town staff, pertinent service providers, and public safety

~~agencies reviewing agencies and departments may will~~ submit comments and recommendations in regards to the application to the Town Manager within 21 days. The Town Manager will then summarize the received comments and recommendations, prepare a staff report and present it to the Planning and Zoning Commission.

4. The Planning and Zoning Commission shall consider the proposed Preliminary Plat at its next regularly scheduled meeting no sooner than twenty-one (21) calendar days after an application has been determined to be complete. Upon a recommendation of approval, approval with conditions or denial, by the Commission, the Town Council shall consider the proposed Preliminary Plat within sixty (60) calendar days of the Commission recommendation.
5. Preliminary Plat approval constitutes authorization for the Developer to proceed with the preparation and submittal of engineering plans and specifications for public infrastructure improvements and the Final Plat. Preliminary Plat approval does not assure Final Plat approval and expires without further action of the Town if a Final Plat is not submitted within one year or such other period of time specified at the time of Preliminary Plat approval. An extension of up to one (1) year may be granted by the Town Manager provided an application for extension is approved by the Town Manager prior to the expiration date. If an additional extensions beyond one (1) year are requested, Town Council must approve the extension. A request for extension must be submitted, at minimum, 30 days prior to the expiration of the approval.

#### **13-2-6. Subdivision Technical Review**

- A. The Developer shall provide the Town Manager with complete sets of engineering plans and specifications prepared by a civil engineer who is currently registered in the State of Arizona. Such plans and specifications must be designed based upon the approved Preliminary Plat and may be prepared prior to or in conjunction with the Final Plat.
- B. Approval of engineering plans and specifications for the installations of required street, streetlight, sewer, electric and water facilities, drainage, flood control, adequacy of water and improvements are required prior to recordation of an approved Final Plat.
- C. The Final Plat will not be considered by the Town Council until all engineering plans as noted above have been approved by the Town Engineer, the Fire District, and other pertinent service providers.
- D. The Service Provider for the water and sewer mains must approve the design per their standards and agree take ownership for operation and maintenance in



accordance with their policies and regulations. The water and sewer mainline extensions must be constructed to meet the requirements of the Arizona Department of Environmental Quality. Prior to the approval of the engineering plans, the Town shall require written approval from the service providers and documentation of the ADEQ Approval.

- E. Prior to approval of the engineering plans, the following ADEQ permits are required to have been obtained as applicable to the Subdivision: An Approval of Sanitary Facilities for Subdivision, an Approval to Construct Drinking Water Facilities, and a Construction Authorization for a Sewage Collection System/ Onsite Wastewater Treatment.
- F. Street light design, as required by the Tusayan Subdivision Standards, Tusayan Zoning Code and the Tusayan Design Standards shall be included in the engineering plans and specifications and must be approved by the Town Engineer.

### 13-2-7. Final Plat

#### A. Application procedure and requirements:

1. **In general:** The Final Plat stage involves the final design of the subdivision, submittal of engineering plans and specifications (if not already completed), final Covenants, Conditions and Restrictions (CC&Rs), satisfactory assurance documentation, and execution of a Development Agreement, if applicable.
2. No later than one (1) year after the approval of a Preliminary Plat, a Developer may apply for approval of a Final Plat. Failure to do so will automatically nullify the approval of the Preliminary Plat without any action by the Town unless the Town Manager has approved an extension prior to the expiration of one year. A request for extension must be submitted, at minimum, 30 days prior to the expiration of the approval.
3. **Zoning:** The zoning of a tract/property must permit the proposed subdivision. Zoning changes required to enable the property to be divided as proposed must be approved through the applicable process in the Tusayan Zoning Code by the Town Council prior to or in conjunction with the approval of a Final Plat.
- ~~3.4.~~ In phased developments, the Final Plat shall show future phases as tracts subject to future platting. Assurances are only required for the current phase of development.

#### B. Final Plat Submission - In addition to a completed Final Plat application form

and fee payment, a complete submittal shall include:

1. A non-refundable Final Plat filing fee (Tusayan Resolution, Fee Schedule);
2. A brief project narrative with a description of the proposed project.
3. The required number of copies of the Plat as specified in the Tusayan Subdivision Application packet.
4. In compliance with ARS 9-463.01, a determination on the adequacy of the Water Supply is required to be stated on the Final Plat.
5. A certificate or letter from each service provider indicating approval of the method of the proposed utility installations and confirming the availability of services.
6. An Arizona Department of Transportation access permit, where required
7. If applicable and not already completed with the Preliminary Plat, the Development Agreement or Public Improvement Agreement between the Developer and the Town shall be recorded.
8. A completion date for the construction of the improvements shall be declared and notice given to the Town Manager, which date shall be approved by the Town Council. The completion date for the improvements shall not exceed two (2) years from the date of such approval. Failure to complete the improvements by the completion date may entitle the Town to draw on the assurances described hereafter, in Subsection (B)(12).
9. A Final Plat, in recordable form, on disk in digital format.
10. If applicable, a copy of the protective CC&Rs in the form for recording shall be submitted and recorded with the Final Plat. The CC&Rs shall include, at a minimum, a mechanism to allow the capability for home or property owners to establish or create a homeowners' association subsequent to the declarant conveying a majority of the subdivided properties to other parties. The CC&Rs shall state that notwithstanding any other provision of the CC&Rs a lot owners' association may be created by lot owners' majority vote thereof, subsequent to the conveyance of a majority of the platted lots by the declarant.
11. Right of Way and Easements: It shall be the responsibility of the Developer to provide on the Final Plat, prior to plat recordation, such Right of Way and easements in such location and width as required for public utility purposes or public access. The following notation shall be

placed on all Final Plats: "Construction within easements, except by public agencies and utility companies, shall be limited to utilities and wood, wire or removable section-type fencing and/or plantings or turf. It is understood that the utility companies will not be required to replace any obstructions or plantings that must be removed during the course of maintenance, construction, or reconstruction within any utility easement on private property."

12. Final Plat Requirements;

a. Identification and descriptive data

- i. North arrow, scale, and date.
- ii. A title which includes the name of the subdivision and its location by section, township, range and county.
- iii. Name, address, registration number, and valid seal of the registered land surveyor preparing the Plat.

b. Survey data

- i. The Final Plat shall identify all boundary lines and corners, together with courses and distances and all curve or angle data. Subdivision corners, other monuments, lot corners, and other survey points must be described and located. One tie must be made by true course and distance to a GLO corner, or, if none exists, to a corner of common acceptance. Proposed subdivisions adjacent to existing subdivisions must tie to the corners of the existing subdivisions. Adjoining property must be identified by subdivision name. Un-subdivided, and Forest Service lands must be noted. All connecting streets, private and public and Forest Service roads must be shown and named.
- ii. The Final Plat shall include name, courses, length and width of all public streets, radii, points of tangency, and central angles of all curvilinear streets; radii of all rounded street line intersections; location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public; and a statement noting that the streets dedicated on the Plat will not be accepted for Town maintenance until they are brought up to minimum Town standards.
- iii. A registered professional land surveyor must certify that all lots are staked, or will be staked within six months.

c. Existing conditions data

- i. Utility easements intended to remain on the property. The

notation as described in Section 13-2-5(A)3 above shall be on the Final Plat.

- ~~ii.~~ ~~Drainage easements intended to remain on the property, with the following notation: "Natural, unimpeded flow is preferred in all drainage ways, wherever practical. No structure of any kind may be constructed or placed, nor may any vegetation be planted nor be allowed to grow within, on or over any drainage easement which would obstruct or divert the flow of storm water. The Town may construct and/or maintain drainage facilities on or under the land in any drainage easement."~~

d. Descriptive data required

- i. Name, right-of-way lines, courses, lengths, width of all public streets, crosswalks, utility easements; radii, points of tangency and central angles of all curvilinear streets and rounded street line intersections.
- ii. Utility easements needed in conjunction with the new Plat to include the notation as cited in Section 13-2-5(A)3 above.
- ~~iii.~~ ~~All drainage ways shall be shown on the Plat. The rights-of-way or easements for all major drainage ways, as designated by the Town Engineer, shall be dedicated to the Town.~~
- ~~iv-iii.~~ Location and dimension of all lots, including identification of each lot by number and size of each lot, total number of lots and average and minimum lot sizes.
- ~~v-iv.~~ All residential lots shall be numbered by consecutive numbers throughout the Plat. "Exception", "tracts", and parks shall be so designated, lettered or named and clearly dimensioned.
- ~~vi-v.~~ Locations, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
- ~~vii-vi.~~ Location of all adjoining subdivisions with date, map and page number of recordation noted, or if unrecorded or un-subdivided, so marked.
- ~~viii.~~ ~~Show the limits of the one hundred (100) year flood prone area on the Final Plat in a surveyable and readily retracable manner with frequent ties to intersecting lot lines for all flows of fifty (50) cubic feet per second or more.~~

- e. Dedication and acknowledgment - A statement dedicating all streets and easements for public use by the person holding legal title of record to the property. If the property contains any liens, all lienholders shall execute an appropriate release for all

dedications. If the Plat shows private access ways, it must note that public utilities, including refuse collectors, shall reserve the right to install, conduct and maintain utilities in such access ways. The signatures following this dedication and acknowledgment shall be notarized.

### C. Final Plat review and approval

1. Upon acceptance of an application for approval of a Final Plat, the Town Manager will have ten (10) calendar days to advise the applicant if the submittal is complete.
2. Copies of complete applications will be sent to the Town staff, service providers, and public safety agencies. When an application has been determined to be complete, the Town Council shall consider for approval the proposed Final Plat no sooner than twenty-one (21) calendar days after an application has been determined to be complete.
- ~~2-3.~~ Town Council shall consider the Final Plat for approval. When the Final Plat is approved it will be forwarded to the Town Manager for recordation
4. If the Developer does not provide the required assurances and documents necessary to record the Final Plat within one (1) year after the approval by Council, the Final Plat approval will be nullified without any action by the Town unless the Town Manager has approved an extension prior to the expiration of one year. If additional extensions beyond one (1) year are requested, Town Council must approve the extension. A request for extension must be submitted, at minimum, 30 days prior to the expiration of the approval.
- ~~3-5.~~ Recordation: Upon receipt of the required assurances, Town Council approval, and notation on the plat as required by ARS § 9-463.01.Q regarding the adequacy (or lack thereof) of water supply, The Town Manager will have the Final Plat recorded and provide a recorded copy of the Plat to the applicant.

### 13-2-8. Assurances for Public Improvements

In order to ensure proper installation of public improvements, the Developer shall designate the type of assurance in a form and method acceptable to the Town Attorney and approved by Town Council in conjunction with review of the Final Plat. Approved forms of assurance are available from the Town Manager. A final copy of said assurance

shall be submitted to and approved by staff. If public Improvements are required for a project that is not part of a subdivision platting process, the assurances must be submitted to and approved by staff prior to the Town issuing a Construction permit. The amount of said assurance shall be based on a cost estimate prepared by a registered civil engineer in an amount to cover one hundred ten percent (110%) of the complete installation of the public improvements. This assurance shall provide for its forfeiture to the Town in the event the improvements are not accepted by the Town by the declared completion date due to the default of the Developer or the appropriate real part in interest. Any portion of the forfeiture in excess of the expenses incurred by the Town in connection with the installation or repair of the improvements shall be returned to the Developer or the appropriate real party in interest at the end of the warranty period. The Developer must provide the Town with one of the following types of financial assurances for the completion of the construction of the public improvements required for the development of the subdivision:

A. Cash, surety bond, or letter of credit

1. The Developer shall deposit with the Town Clerk cash or surety bond, or an irrevocable letter of credit issued by an approved institution.
2. The surety bond shall be executed by the Developer with a corporation duly licensed and authorized to transact surety business in the State of Arizona, as surety. The bond shall be in favor of the Town, shall be continuous in form, and shall require that the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond, regardless of the number of years the bond is in force, and shall provide that:
  - a. The bond, cash, or letter of credit shall be released upon satisfactory completion of the work. Progress payments may be made in accordance with standards established by the Town Engineer.
  - b. The bond or letter of credit may be cancelled by the Developer, provided that other security, satisfactory to the Town Attorney has been deposited which will cover the obligations of the Developer which remain to be performed.
  - c. Any work abandoned or not completed by the Developer may be completed by the Town, which shall recover the construction and repair costs from the Developer, the bonding agent, or approved lending institution.

B. Assurance of construction through loan commitment

In lieu of providing assurance of construction in the manner provided above, the Developer may provide assurance of construction of all required utility and infrastructure improvements, by delivering to the Town in a manner described above, an appropriate agreement acceptable to the Town Attorney between an approved lending institution and the Developer, which provides:

1. A statement that funds sufficient to cover the entire cost of installing the

- required improvements, including engineering and inspection costs, and the cost of replacement or repairs of any existing streets or improvements demanded by the Town in the course of development of the subdivision have been deposited with such approved lending institution by the Developer. The agreement shall provide that the funds in the approved amount are specifically allocated, and will be used by the Developer, or on his behalf, only for the purpose of installing the subdivision improvements.
2. That the Town shall be the beneficiary of such agreement, or the Developer's rights shall be assigned to the Town, and the Town Engineer shall approve each disbursement of such funds.
- C. Alternative assurances: In lieu of providing a surety bond or an agreement between the Developer and an approved lending institution, the Town Attorney may approve and recommend to Town Council such alternative assurances that it deems sufficient to guarantee and assure construction and repair of the required public improvements.
- D. An approved lending institution for purposes of these Subdivision Standards is an FDIC-insured bank or savings and loan association licensed and authorized to do business in Arizona.

### **13-2-9. Minor Land Divisions**

- A. Purpose and Intent of these regulations is:
1. To provide for the partitioning of land into two or three lots, tracts or parcels of land or the combination of lots, tracts or parcels through a process that is more expeditious than the subdivision process;
  2. To assure that the proposed parcels are in conformance with the Town's Subdivision standards;
  3. To obtain accurate surveying and permanent public record of the separate interests created and conveyed by the division of lands;
  4. To assure adequate access and to provide a coordinated street system; and,
  5. If a new street is involved, land that is divided into two or more lots is considered a subdivision and a minor land division is not applicable.

B. Land Split or Combination Procedures and Requirements

The preparation, submittal, review, and approval of all land splits or combinations located within the Town limits shall proceed through the following progressive stages, except as otherwise provided in this chapter:

1. Optional pre-application conference with the Town Manager.
2. Submittal by the Developer, and review and approval of the land split or combination application and map by the Town Manager.

3. Recordation of the approved land split or combination map and associated legal description with the Coconino County Recorder's office.

C. Pre-Application Conference

1. The pre-application conference stage of land split or combination review is an optional investigatory period preceding the preparation and submittal of the land split or combination application by the Developer. The Developer shall initially present the land split or combination proposal to the Town Manager who shall advise the Developer of specific public objectives, standards, and regulations related to the property and the procedure for land split or combination review.
2. An application for land split or combination approval shall include a sketch plan of the proposed land split or combination so that the Town Manager can determine whether the approval process authorized by this Section can and should be utilized. The Town Manager may require the applicant to submit additional information deemed necessary for making this determination, including, but not limited to, a copy of the Coconino County Assessor's Map showing the land being divided and all lots or parcels previously divided from that tract of land and all contiguous land under the same ownership for the 15 years prior to the date of submittal.

D. Land Split and Combination Applications

1. All submittals shall be checked by the Town Manager for completeness. If the application is determined to be incomplete, the submittal may be rejected and returned to the applicant for revision and resubmittal.
2. Application Submittal: All land split or combination applications shall include the following materials:
  - a. The copies of the land split or combination map showing the proposed land split or combination, existing conditions including the location of all structures, and anticipated setbacks from existing and proposed property lines;
  - b. Any information required as part of the land split or combination submittal shall be shown graphically, or by note, or by letter, or in combination on the plans, and may if necessary comprise several sheets showing various elements of the required data. All mapped data for the same map shall be drawn at the same engineering scale, said scale not to be greater than 100 feet to an inch;
  - c. A completed land split or combination application form;
  - d. Legal description in a form approved by the Coconino County Recorder's office;



- e. A non-refundable land split or combination application fee (See Tusayan Resolution: Fee Schedule), available as a separate document from the Town); and,
- f. Complete contact information for the Developer.
- g. Professional Seal of Surveyor/Engineer registered in the state of Arizona.

**E. Application Approval Standards:**

- 1. All land split or combination applications shall be designed to comply with the requirements of the specific zoning district within which it is located, including minimum lot area, lot depth, lot width and minimum access requirements.
- 2. No lot or parcel shall be divided in such a way that any division contains more density than are permitted by the zoning regulations in the district in which the lot or parcel is situated.

**F. Process for Approval.**

- 1. The Developer shall submit all of the documents, information, data, and other requirements for approval of a land split or combination to the Town Manager. The Developer shall also furnish to the Town Manager any additional information and materials relevant to the application that are reasonably believed to be necessary in order for the Town Manager to evaluate, analyze, or understand the subject matter of the application, and to ensure compliance with the requirements of this division. Compliance shall be determined by the Town Manager.
- 2. The procedures for approval, modification, or denial of land split or combination applications shall be as follows:
  - a. The Town Manager shall approve or disapprove applications for land splits or combinations pursuant to the provisions of this Section and shall ensure compliance with any applicable conditions of approval.
  - b. A Developer may appeal a final action of the Town Manager to the Town Council in accordance with Article 13-5, Appeals, of these Subdivision Standards.

**13-2-10. Lot Line Adjustments**

- A. When a common lot line between two adjoining parcels requires adjustment, the submittal requirements and procedures for a land split provided in these Subdivision Standards, Land Splits or Combinations, shall be followed for review and approval by the Town manager.

- B. In addition to the submittal requirements for a land split or combinations established in these Subdivision Standards, Land Split and Combination Applications, the written consent of all owners of the real property associated with the proposed boundary adjustment.

## CHAPTER 13-3. DESIGN PRINCIPLES

### 13-3-1. Street Location and Arrangement

- A. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Town's General Plan and shall ensure public safety and convenience, and respond to existing natural features of terrain, vegetation, and drainage.
- B. Access to a subdivision must be capable of transporting fire and other emergency vehicles. The access must have all weather capability, minimum 14 feet overhead clearance, and a 20 foot or wider surface capable of supporting vehicles weighing 42,000 pounds or more. Nothing in this paragraph shall be construed as modification of the necessity to conform to the Tusayan Design Standards and good engineering practice. A Geotechnical Report shall be required to determine the bearing capacity of the roadway.
- C. Street layout shall provide for the continuation of existing principal streets through new subdivisions. Principal streets typically follow section or mid-section lines, however, if the alignment is impractical then right-of-way shall be provided at least every ½ mile (2640 feet).
- D. Certain proposed streets, shall be extended to the tract boundary to provide future connection with adjoining un-platted lands.
  - 1. Street connections to an adjoining platted tract shall be made only to those extended streets of the platted tract.
  - 2. Street connections shall be designed to accommodate the amount of increased traffic flow generated by the proposed subdivision, as determined by an engineered traffic study or as approved by the Town Engineer.
- E. Cul-de-sac streets shall be constructed with a minimum unobstructed turn-around radius of forty-five (45) feet which shall be free from parked vehicles. The Town Engineer may recommend an equally convenient form of turning and backing areas where extreme conditions justify. The maximum length of cul-de-sac streets shall be one thousand two hundred (1,200) feet, as measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline or a maximum of twenty-five (25) lots.
- F. Any subdivision exceeding fifty (50) lots shall require a minimum of two (2) access points, one of which ~~may be an emergency access~~ shall be the applicable street section required by the Tusayan Design Standards. An exception may be made where topography or geographical constraints may justify.
- G. Where a proposed subdivision abuts or contains an existing or proposed arterial

and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one-(1) foot non-access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from function of the major route.

- H. Where a subdivision abuts or contains the right-of-way of a limited access highway or an irrigation canal or abuts a commercial or industrial land use, the Town Engineer may require location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.
- I. Streets shall be of reasonable gradient and shall facilitate adequate drainage.
- J. No alleys may be constructed in subdivisions, except that the Town Council may waive the requirements in certain areas because of topography, open area provided or service access.
- K. A minimum of two (2) permanent reference survey monuments shall be required for a street as a recoverable point for future surveys. These monuments shall have a geometric tie to the Town of Tusayan geometric coordinate system.

### **13-3-2. Streets**

All streets in the Town, public or private, unless otherwise specified in these Subdivision Standards, shall be designed to the requirements in the Town of Tusayan Design Standards and as follows:

#### **A. Minimum required right-of-way width**

- 1. Arterial streets as indicated by Tusayan Design Standards shall be no less than one hundred (100) feet.
- 2. Collector streets as indicated by current Tusayan Design Standards shall be no less than eighty (80) feet.
- 3. Local streets as indicated by current Town standards shall be no less than sixty (60) feet.
  - a. Cul-de-sac streets shall terminate in a circular right-of-way fifty (50) feet in radius with a minimum improved traffic turning circle forty five (45) feet in radius. The Town Engineer may approve an equally convenient form of space where extreme conditions justify.
  - b. Dead end streets will not be approved except in locations designated by the Town Engineer as necessary to future extension

in development of adjacent lands. A dead end street serving more than four lots shall provide a temporary turning circle with a forty-(40) foot radius or other acceptable design to accomplish adequate access.

4. Access or frontage streets - As required by a Traffic Impact Analysis or as needed for principle arterials.
5. All streets shall be paved in accordance with the Town of Tusayan Design Standards.

**B. Private Streets**

1. Private streets shall be constructed to conform to current Town of Tusayan street standards, including but not limited to right-of-way widths, sidewalks, trails, street lights, signs, roadway geometric criteria, and pavement structural section.
2. If private streets are proposed for a subdivision, then the following additional requirements must be met:
  - a. A homeowners association shall be established at the time the Final Plat is approved.
  - b. An emergency rapid entry system for unrestricted entry of police and fire emergency vehicle at all gated location shall be provided.
  - c. Finally, a note shall be placed on the Final Plat that states, "All private streets that are identified as a "tract" or "common areas" shall be maintained by the homeowners association. The Town shall not maintain these roads.
3. Any deviation or variance from these requirements shall require Town Council approval.

**C. Trails**

The Town may require a Developer to dedicate trail easements for public access to maintain and/or replace existing social trails and encourage pedestrian connectivity to the community. An easement with a minimum width of 10' shall be dedicated to the Town for maintenance of the trails. The location must meet with the written approval of the Town Engineer.

**13-3-3. Blocks**

- A. Blocks shall not exceed one thousand three hundred and twenty (1,320) feet in length between street centerlines. Variation from this requirement may be justified where topography or optimal lot configurations are achieved or when lot sizes average one-half acre or greater. Variations shall be approved by

the Town Engineer.

- B. Blocks shall have sufficient width for an optimal layout of two tiers of lots of the size required by the Town of Tusayan Zoning Code Development Standards (unless located on a collector road).
- C. Where practical, pedestrian ways with a minimum easement/right-of-way width of ten (10) feet may be required at mid-block and/or internal connection locations where essential for access to schools, playgrounds, common open space or other community facilities. Pedestrian ways may be used for utility purposes.

#### **13-3-4. Lots**

- A. Lot width, depth, and area shall comply with the minimum development standards of the applicable zoning district in the Town of Tusayan Zoning Code.
- B. Lots having double frontage should be avoided except where necessary to provide separation of the residential development from traffic collectors and arterials. A symbol establishing which side will be driveway accessible is required for each double-fronting lot. A non-vehicular access (NVA) easement shall be shown on the opposite side of the lot.

#### **13-3-5. Easements**

Generally, a Public Utility Easement (PUE) shall be sixteen (16) feet in width. In cases of steep [greater than a six percent (6%) slope] or unusual topography, the PUE may be increased or decreased in width as needed. The Town Engineer and the owner of the utility lines must approve the reduction of the easement width. Additional width may be required for depths over eight (8) feet or additional utility lines. Easements must be able to accommodate the separation of utilities in accordance with utility requirements and the AAC R18-5-502 Minimum Design Criteria for Water and Sewer Mains.

#### **13-3-6. Water, Sewer and Reclaimed Water Facilities**

- A. Water, Sewer and Reclaimed Water Facilities shall be designed by the developer and approved by the Service Provider. The design must meet the Service Providers' standards and requirements. The approval of the design by the Service Provider must be submitted in writing to the Town of Tusayan before the Town shall approve the engineering plans.
- B. Subdivision utility facilities will conform to the standards of the Building Codes, and Arizona Department of Environmental Quality (ADEQ).
- C. If the utility system is providing fire flow, the Developer must obtain approval of the design from the Fire District.
- D. The Town will not issue any certificates of occupancy until the subdivision utility

improvements are completed to the requirements of ADEQ and are accepted for maintenance and operation by the service provider.

### **13-3-7. Drainage**

- A. Any development that contains a floodplain must meet the requirements of the Floodway Overlay Zone from the Tusayan Zoning Code and get the approval from the Floodplain Management Agency, as determined by A.R.S Section 48-3610.
- B. Drainage and topography shall be a primary consideration of any subdivision.
- C. The preservation of natural flood areas, streams, washes, arroyos, rivers or ephemeral drainage courses shall be maintained, if possible, in their natural riverine environment. The only exceptions, if approved by the Floodplain Management Agency, are for roadway crossings and utility lines, if no other alternative exists.
- D. Subdivision improvements that propose grading and/or grade changes shall not have an adverse impact on surrounding property. At the boundaries of the subdivision, all drainage and floodwaters shall be accepted and released so that the flow characteristics are minimally disturbed by providing appropriate entrance and exit transitions.
- ~~E. All Regulatory Floodways shall be dedicated to the public with provisions for maintenance access ramps.~~
- F.E. A Drainage Report which addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed and prepared by a registered Arizona Professional Engineer. The Drainage Report shall be approved before the street improvement plans and Final Plat are approved. If the subdivision will be developed in phases, a master drainage plan will be required.
- G.F. An operation and maintenance manual shall be provided for storm water detention facilities. Operation and maintenance (O&M) shall be the responsibility of the homeowners association and the O&M manual shall be an attachment to the CC&Rs for the development. If a development does not have a homeowners association, the O&M manual will be required in the form of a recorded agreement. This agreement shall assign permanent responsibility for the operation and maintenance of the facility.

### **13-3-8. Street Lights**

- A. Street lights shall conform to the Town of Tusayan Zoning Code and Town of Tusayan Design Standards.

- B. Where street light lines are to be installed, the Developer shall provide adequate easements for public utilities (to include side lot lines if necessary).



## **CHAPTER 13-4. IMPROVEMENT REQUIREMENTS**

### **13-4-1. Public Improvement Requirements**

- A. Purpose: It is the intent and purpose of this section to set forth the minimum acceptable standards for public improvements; to define the responsibility of the applicant in planning, constructing and financing public improvements; and to set forth the Town's responsibilities in the review and acceptance of public improvements.
- B. Development of plans and specifications
  - 1. The "Uniform Standard Specifications and Details for Public Works Construction" as published by the Maricopa Association of Governments (MAG Specifications) are recognized as acceptable construction specifications and standard details. Because of variations in climate, soils, and availability of materials, modifications to the MAG Specifications may be implemented by the Town. The MAG Specifications shall be utilized at the direction and approval of the Town Engineer.
  - 2. Other pertinent manuals for the development of plans and specifications include "A Policy on Geometric Design of Highways and Streets" as distributed by AASHTO; all design manuals, specifications, and standard details as distributed by the Arizona Department of Transportation; all engineering bulletins as distributed by the Arizona Department of Environmental Quality; "Manual on Uniform Traffic Control Devices for Streets and Highways" as distributed by the U.S. Department of Transportation, Federal Highway Administration; and the various design manuals, procedures, and guidelines as published by professional organizations and governmental agencies.
  - 3. The documents described in Subparagraphs B.1 and B.2 are adopted by reference pursuant to A.R.S. § 9-802 and at least three (3) copies of the documents described above, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk. All copies shall be readily available for inspection, including any supplementary pamphlets or explanatory booklets for distribution to the public.
  - 4. All design and construction for public and private grading shall be in accordance with these standards and:
    - 1. The currently adopted International Building Codes.
    - 2. The Town of Tusayan Zoning Code.

3. The Engineered soils report (if applicable)

- C. Responsibilities: It shall be the responsibility and duty of the applicant to plan, construct, and finance all public improvements associated with subdivisions and land development, unless a Development Agreement specifically provides otherwise. These public improvements must be completed to the standards required by the Town and formally accepted for maintenance and operation before the Town will issue a certificate of occupancy for any building or structure within the subdivision or on the property. The applicant must have an engineer registered in the State of Arizona prepare a complete set of improvement plans for constructing required public improvements. Such plans shall be based on the approved Preliminary Plat, zoning case, Site Plan, and/or staff approval stipulations. The applicant must prepare these plans in conjunction and in conformance with the Final Plat. Improvement plans shall be subject to Town approval prior to recordation of the Final Plat.
- D. Public Improvements Defined: Public improvements mean any right-of-way, easement, access right or physical improvement which, upon formal acceptance by the Town, becomes the responsibility of the Town for ownership, maintenance and repair. Such public improvements may include, but are not limited to, roadways and alley sections including pavement, base course, street lights, curbs and gutters, sidewalks or trails, traffic control improvements, right-of-way landscaping and irrigation systems, drainage facilities, fire hydrants and utilities, including water, sewer, gas, electric power, telephone, and cable television, and all other improvements, which upon completion, are intended to be for the use and enjoyment of the public.
- E. Public improvement Agreement: If, pursuant to Section C, Responsibilities, above, the applicant's subdivision, zoning change or development, either new development on existing, vacant or undeveloped property or an addition or expansion to existing developed property, creates the need for the dedication, acquisition, installation, construction or reconstruction of public improvements, then, after such determination has been made, the applicant shall enter into a public improvement agreement prior to the Town's approval and/or issuance of the Preliminary Plat, site plan or Building Permit. The Developer shall provide assurances in accordance with 13-2-7 of these Subdivision Standards for public improvements. The public improvement agreement shall be in a form approved by the Town and shall provide for the dedication and/or construction of necessary public improvements by the applicant. If appropriate, the terms of the public improvement agreement may be incorporated into a Town-approved Development Agreement. The public improvements agreement may, if approved by the Town Engineer, provide that the installation, construction or reconstruction of public improvements shall be in specified phases. If construction in phases is approved, the provisions of this division shall apply to each phase as if it were a separate and distinct public improvements agreement. Any such phase shall be an integrated,

self-contained development consisting of all public improvements necessary to serve the property to be developed as part of said phase.

Construction of a single-family detached residence or a duplex residence of any value or an addition or alteration to an existing single-family residence or existing duplex residence, sized in accordance with the minimum requirements provided in the Tusayan Zoning Code are exempt from offsite Public Improvements. All requirements of the Town of Tusayan Zoning Code and the DRO still apply.

F. Impact Analysis Required

1. Pursuant to the Tusayan Design Standards, the Town Engineer shall require the applicant to furnish impact studies to assess the impact of new development on the existing streets, utilities and drainage infrastructure.
2. When an impact study identifies impacts to the infrastructure that are attributable to the proposed development, impact mitigation is required. The design and construction of improvements to mitigate the identified impacts shall be constructed by the applicant.
3. If impacts are determined to occur within utilities, an agreement for mitigation must be reached between the Developer and the service provider to facilitate service to the subdivision.

G. Minimum Requirements

The public improvements required pursuant to these Subdivision Standards shall have a rational nexus with, and shall be roughly proportionate to, the impact(s) created by the subdivision as determined by the studies described in Section GE, Impact Analysis Required, above. The presumptive minimum requirements that are required for public improvements are:

1. Right-of-Way. If, as determined by the Town Engineer, the property to be developed does not have adequate rights-of-way due to the new development, or will not accommodate proposed or contemplated public improvements, then necessary right-of-way shall be granted to the Town. The Town Engineer may impose special requirements to assure future right-of-way needs as may be contemplated under the existing General Plan or other approved land use documents.
  - a. In the event that the granting of right-of-way or drainage way creates a nonconforming lot due to the decrease in land, the remaining portion shall be considered a legal nonconforming lot.

- b. When it is necessary for a development to improve a street and, sufficient right-of-way is not available from other area property owners not subject to the provisions of these Subdivision Standards, the Town Manager, with the approval of the Council, may pursue all legally permissible steps in order to obtain the property necessary for the right-of-way provided there is a demonstrated public need for the additional right-of-way.

## 2. Water System

- a. Water system improvements shall be sized and located as required by and approved by the Service Provider
- b. Water mains shall be extended to the property being developed.
- c. Water lines shall be extended by the Developer to and across the full front, side, and/or rear boundaries of the property being developed where needed, as determined by the Service Provider.
- d. Additionally, where needed as determined by the Service Provider, water lines sized in accordance with established criteria and protocols to accommodate future development shall be extended through the property being developed to the property boundaries to provide future connection with adjoining lands.

## 3. Sanitary Sewer System

- a. Sanitary sewer system improvements shall be sized and located as required by and approved by the Service Provider.
- b. Sewer mains shall be extended to the property being developed.
- c. Sewer lines shall be extended to and across the full front, side, and rear boundaries of the property being developed where needed, as determined by the Service Provider.
- d. Additionally, where needed as determined by the Service Provider, sewer lines sized in accordance with established criteria and protocols to accommodate future development shall be extended through the property being developed to the property boundaries to provide future connection with adjoining land.

## 4. Drainage.

- a. Any development that contains a floodplain must meet the requirements of the Floodway Overlay Zone from the Tusayan

Zoning Code and get the approval from the Floodplain Management Agency, as determined by A.R.S Section 48-3610.

- b. When developments are required to perform a Drainage Impact Analysis (DIA) and the approved DIA identifies impacts to the public drainage system as a result of the proposed development, impact mitigation by the applicant is required. Design and construction of improvements that mitigate the impacts attributable to the development, as identified in the approved DIA, shall be the sole responsibility of the applicant.
  - c. Public drainage improvements are applicable to adjacent right-of-way and on-site based on the findings of required drainage reports, applicable Stormwater master plans and General Plan improvements or other documents that clearly demonstrate the need for drainage facilities.
- 5. Franchise Utilities. All telephone, electric power, cable television, natural gas, or other wires or cables necessary to serve the subdivision in accordance with the Service Provider requirements and the Tusayan Design Standards are required.
  - 6. Alley/Lane Improvements. When property access is necessary or proposed via an alley/lane, full width alley/lane improvements along the full property frontage in accordance with the Town of Tusayan Design Standards. Alley/lane improvements shall also be extended to the nearest public street if no improved alley or lane connection presently exists.
  - 7. Trails System Improvements. Full width trail improvements may be required in accordance with the Tusayan Design Standards along alignments as required by the Town Engineer.
  - 8. Traffic Control Related Improvements. When subdivisions or land splits are required to perform a traffic impact analysis (TIA) in accordance with the Tusayan Design Standards, and the approved TIA identifies impacts to the public road system as a result of the proposed development, impact mitigation by the applicant is required. Design and construction of improvements that mitigate the impacts attributable to the development, as identified in the approved TIA, shall be the sole responsibility of the applicant.
  - 9. Street Improvements. Street improvements shall be constructed to and across the full front, side and rear boundaries of the property being developed where needed, as determined by the Town Engineer, as follows:

- a. Any multi-residential or non-residential construction shall be required to construct a minimum 24-foot wide street to accommodate two-way traffic and emergency vehicles as well as if required, on-street parking or bike lanes for the full frontage(s) of the subdivision property boundaries which abut existing or proposed public streets.
    - i. Street types adequate to serve the anticipated traffic volumes generated by the subdivision and the projected neighborhood growth patterns resulting in future developments as may be contemplated under the existing General Plan or other approved land use documents will be required.
    - ii. Street Design Standards for required roadway elements are in the Tusayan Design Standards. The Average Daily Traffic (ADT) determines the street section requirements.
    - iii. If the property being developed is not adjacent to an existing improved public street, Subsection b, below, shall apply.
  - b. Where the property being developed is separated from an existing improved public street by an unimproved section of Public Street, after the 250 ADT is reached (generally equivalent to 25 dwelling units) the applicant will be required to ~~construct such connection as necessary~~ construct the Roadway typical section required by the Design Standards for the proposed traffic generation. to facilitate traffic to/from the subdivision. Nothing in this paragraph shall be construed as modification of the necessity to provide Emergency Access and good engineering practice. If there are additional undeveloped properties adjacent who could benefit from the improvements in the future, a Recapture Agreement (See Section 13-4-3) could be created.
  - c. Full width pavement improvements shall be required for adjacent streets. Curb and sidewalk shall be installed on adjacent side only. A fee in lieu of improvements may be substituted as approved by the Town Council.
  - d. In a phased development, the street improvements can be built in stages that are adequate to the proposed traffic generation. A Traffic Impact Analysis is required to demonstrate that the roadway is sufficient to the proposed ADT. Emergency Access must be provided to a development regardless of the phasing of a project.
10. The Developer is required to mitigate impacts of the subject subdivision or land split. If at the time of development the Town wishes to make improvements to its general public infrastructure capacities, the Town may bear the additional cost(s) associated with the upgrading of capacities of those improvements. The limits of the Town's participation shall be

determined by the difference in the approved design and actual construction costs with and without mitigated capacity increases of those improvements.

H. Inspection and Acceptance of Public Improvements

1. The Town Engineer shall provide for inspection of required public improvements during construction to ensure their satisfactory completion.
2. If the Town Engineer finds upon inspection that any of the required public improvements have not been constructed in accordance with the Tusayan Design Standards and the approved construction plans, the applicant shall be responsible for completing or replacing such improvements as to the specifications of the Town.
3. Final inspection of public improvements will be scheduled with the Town Engineer prior to their acceptance.
4. The Town Engineer must receive approval of the improvements from applicable Service Providers prior to final acceptance.
5. The Town will not accept the required public improvements nor release any assurance (See 13-2-7 Assurances) until the development is accepted by the Town Engineer. The Town Engineer shall issue a letter of completion upon final acceptance.
6. The Town will not issue any certificates of occupancy until the public improvements are completed to the standards in these Subdivision Standards and in the Tusayan Design Standards required by the Town and accepted for maintenance and operation by the Town Council.

I. Appeals

Any person, firm or corporation may appeal the dedication or exaction required as a condition of granting approval for the use, improvement or development of real property, in accordance with the appeal provisions established in Article 13-5 Modifications, Appeals and Enforcement.

J. Warranty Period

The subdivider shall warrant and guarantee that required public improvements constructed under the Public Improvement agreement will remain in good condition and meet operating specifications for one (1) year, commencing with probationary acceptance of such public improvements or until such improvements have been granted final acceptance by the City Council. Such warranty includes defects in design, workmanship, materials and any damage to improvements caused by the Developer, its agents or others engaged in work to be performed under the subdivision agreement.

### 13-4-2. Development Agreement

- A. Purpose: The purpose of this section of the Subdivision Standards is to provide procedures for the processing of Development Agreements in compliance with A.R.S. § 9-500.05. An application for a Development Agreement may only be filed by a person owning or having a legal interest in the subject real property, or a person authorized to act on the owner's behalf.
- B. Contents of Development Agreements
  - 1. Provisions Allowed: A Development Agreement may include any of the provisions specified in A.R.S. § 9-500.05, as applicable to the development proposal that is the subject of the Development Agreement as determined by the Town.
  - 2. Provisions Required: A Development Agreement must include, but are not limited to, the following provisions:
    - a. The duration of the Development Agreement;
    - b. Provisions for the protection of environmental resources, if applicable;
    - c. The public benefit offered by the applicant as consideration for entering into the Development Agreement; and,
    - d. A waiver of claims for diminution in value for any changes in land use law relating to the subject property and the related proposed development.
  - 3. Provisions Prohibited: A Development Agreement shall not include requirements for the City to exercise its legislative or quasi-judicial powers in a particular way, except to vest certain rights as permitted by ARS Section 9-500.05.
- C. Consideration and Decision
  - 1. Staff Responsibilities
    - a. The Town Manager in consultation with the Town Attorney and Town Engineer shall direct the negotiations with the applicant regarding terms of the Development Agreement.
    - b. Once negotiations are completed, the Town Manager shall schedule the proposed Development Agreement for approval by the Council in compliance with this division.
  - 2. Planning Commission Recommendation: When considering a development proposal at a public hearing for a Zoning Map amendment, Pre-annexations, Preliminary Plat, or other development proposal for which a Development Agreement is proposed, the Planning Commission may, but is not required to, make a recommendation on the contents of a draft Development Agreement for that development.



3. Council Determination

- a. The Council shall consider approval of the Development Agreement at a public meeting. When also considering a development proposal for a Zoning Map amendment, Pre-annexations, subdivision Preliminary Plat, or other development proposal for the subject property, approval of the Development Agreement may be made conditional upon approval of the related application.
- b. When approving the Development Agreement, the Council shall make the following findings:
  - i. The Development Agreement provides benefit to the Town;
  - ii. The Development Agreement is consistent with the purpose, intent, goals, policies, programs and land use designations of the General Plan; any applicable specific plans, The Town of Tusayan Zoning Code, and these Subdivision Standards; and,
  - iii. The Development Agreement complies with the requirements of A.R.S. § 9-500.05.
- c. Approval of the Development Agreement shall be by resolution or ordinance and shall not be enacted by emergency clause. The effective date of the agreement may be more but not be less than 30 calendar days after the Council's approval of the Development Agreement.

4. Execution and Recordation

- a. The persons authorized to sign the Development Agreement on behalf of the applicant(s), owner(s), and all persons having an interest in the subject property shall execute the Development Agreement prior to approval by the Council.
- b. If changes are made at the Council meeting where the Development Agreement is considered, the persons authorized to sign the Development Agreement on behalf of the applicant(s), owner(s), and all persons having an interest in the subject property shall execute the revised Development Agreement prior to the City signing the Development Agreement and an updated Proposition 207 waiver.
- c. Within 10 calendar days after all parties, including the City, have executed the Development Agreement, the City Clerk shall record a copy, at the applicant's expense, of the Development Agreement with the County Recorder. Recordation of the Development Agreement constitutes notice of the Development Agreement to all persons.

D. Amendment and Cancellation: A Development Agreement may be amended or cancelled, in whole or in part, by mutual consent of the parties to the Development Agreement or by their successors in interest or assigns using the same procedure for entering into the agreement in compliance with Subsection C, above.

### **13-4-3. Recapture Agreement**

- A. Recapture Agreements are only applicable to Town owned infrastructure. Improvements to Sanitary District or water provider systems must be coordinated with the owner of the infrastructure.
- B. If a Developer extends a roadway, water or sewer main across undeveloped property to reach his development or property, and wishes to be reimbursed for the cost of installing said extension by future customers along the length of the lines, he may request a recapture agreement be drawn up by the Town. Developers may request a recapture agreement when an improvement is constructed across the frontage of parcels not currently receiving service from the Town. When the owner of the designated parcel requests service, a pro-rated cost of the line is collected by the Town and returned to the developer. Recapture agreements are set up through the Town Manager. For questions or details on the procedure to initiate an agreement, contact the Town Manager.
- C. The maximum period of time of the recapture agreement shall be ten (10) years.

## CHAPTER 13-5. MODIFICATIONS, APPEALS AND ENFORCEMENT

### 13-5-1. Modifications

#### A. Modification of Standards

The Town Engineer may approve a waiver of the requirements in these Subdivision Standards as they apply to a particular property when there exist unusual conditions of topography, land ownership, adjacent development or other circumstances which would not be able to be addressed to best serve the interests of the citizens of the Town if the requirements of these Subdivision Standards were strictly applied.

#### B. Modification of Final Plat

No change, erasure, modification or revision shall be made on or of any Final Plat after approval by the Town Council unless the Town Council first approves any proposed alteration; and any alteration shall be void unless approval thereof is endorsed upon the Final Plat by the Town Council.

### 13-5-2. Appeals

- A. **Appeals:** Any decision, or interpretation, of these Subdivision Standards may be appealed to the Town Manager; decisions of the Town Manager may be appealed to the Town Council. The agency to which a decision has been appealed may either: (a) uphold, (b) reverse, (c) modify, or (d) refer the decision back to its author for reconsideration. Zoning Amendments must follow the procedure in the Town of Tusayan Zoning Code.
- B. **Time limits:** Appeals will only be considered if they are filed within ten (10) calendar days of a decision. Decisions are final after the ten- (10) day appeal period has passed, if no appeal has been filed.
- C. **Stays of proceedings:** An appeal suspends the action taken and stays all proceedings in the matter, unless the Town certifies that a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed except by restraining order as injunctive relief granted by a court of record on application and notice to the Town. Proceedings shall not be stayed if the appeal requests relief which has been previously denied except pursuant to a special action in Superior Court.

### 13-5-3. Enforcement

- A. **Fines/imprisonment:** Any person, as principal, owner, agent, tenant, employee,

or otherwise found violating these Subdivision Standards, or violating or failing to comply with any order or regulation made hereunder, shall be guilty of a civil violation punishable as provided in the Town Code. Such person shall be deemed guilty of a separate offense for each and every day during which any such violation or failure to comply with these regulations is committed, continued or permitted. All remedies provided for herein shall be cumulative and exclusive. A finding of guilty or responsibility and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions. In addition to the other remedies provided herein, any adjacent or neighboring property owner who is damaged by the violation of any provision of these Subdivision Standards may institute any action in law or equity to prevent or abate such violation.

- B. **Enforcement action:** Any division of property contrary to these Subdivision Standards is hereby declared to be a public nuisance and the Town Attorney may, upon order of the Town Council, or on his own initiative, immediately commence all necessary actions or proceedings for the abatement, enjoinder, and removal thereof in the manner provided by law; and may take such other lawful steps as may be necessary, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate, enjoin, and restrain any person from violating these Subdivision Standards.

#### **13-5-4. Severability**

It is the intention of the Town that the provisions of these Subdivision Standards are separable such that if any court of competent jurisdiction shall adjudge invalid: (1) any provision of these Subdivision Standards, such judgment shall not affect any other provision of these Subdivision Standards not specifically included in said judgment; or (2) the application of any provision of these Subdivision Standards to a particular property, or structure, such judgment shall not affect the application of said provision to any other property, or structure, not specifically included in said judgment.

## CHAPTER 13-6. TERMINOLOGY

### 13-6-1. Usage

For purposes of these Subdivision Standards, certain terms, phrases, words, and their derivations shall be construed as specified herein. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The word "shall" is mandatory and the word "may" is permissive, except when used in the negative. When not inconsistent with the context, the present tense includes the future, the singular includes the plural, and the plural includes the singular. Where terms are not defined, they have their ordinarily accepted meanings within the context in which they are used. Webster's Dictionary of American English provides the ordinarily accepted word meanings referred to above.

### 13-6-2. Definitions

**Abutting** – The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner(s).

**Access point** – Emergency or permanent all-weather access.

**Alley** – A public way, other than a street, which affords a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

**All-weather road** – Roadway capable of transporting fire and other emergency vehicles. The access must have a minimum 14 feet overhead clearance, and a 20 foot or wider surface capable of supporting vehicles weighing 42,000 pounds or more.

~~Shall be designed and constructed to support a loaded scraper during a "proof roll."~~  
~~A scraper may be substituted with other equipment as approved by the Town Engineer.~~

**ARS** - The Arizona Revised Statutes as they may be amended from time to time.

**Basin, drainage** – A geographical area that contributes surface runoff to a particular concentration point.

**Block** – A piece or parcel of land or group of lots entirely surrounded by public or private streets, streams, washes, parks, or a combination thereof of sufficient magnitude as to interrupt the continuity of development.

**Building setback line** – The required minimum distance, as prescribed by the Town of Tusayan Zoning Code, between the property line and the closest point of any building or structure.

**CC&Rs** - Covenants, Conditions and Restrictions placed on the ownership of the property.

**Commission** - The Town's Planning and Zoning Commission.

Concept Master Plan – The planning level master plan submitted for first review of a large-scale development with multiple phases.

Concept Plan – A preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern.

Council – The Town Council of the Town of Tusayan.

Dedication - The intentional conveyance appropriation having the effect of conveyance of land by its owner for any general or public use, with no special rights reserved to said owner.

Design Standards, Town of Tusayan – The Design Standards are a section of the Town Code, adopted by the Town Council that provides specific design standards for Public Improvements.

Developer –A person, firm, partnership, joint venture, trust, syndicate, association, corporation, limited liability company or other legal entity who desires to improve or otherwise engage in any development of property within the Town, including the owner of the property.

Development – The utilization of land for public or private purposes.

Development Review Committee – An informal review panel as designated by the Town Manger to review submittals consisting primarily of town staff, service providers, and other stakeholders. This may include but is not limited to the Sanitary District, the Fire District, Water Provider, ADOT, Forest Service and the school district.-

Easement – A grant by the owner of the use of land by the public, a corporation or person for the specific uses designated.

Exception – Any parcel of land that is not owned by the Developer or not included in the recorded Plat.

Fill – Soil, rock, or other material deposited at a location by man that raises the grade at that location.

Final Plat – A Final Plat of a subdivision, including supporting data, in substantial conformance to an approved Preliminary Plat and all stipulations or conditions placed upon it by the Commission or Town Council, prepared by an Arizona registered land surveyor, in accordance with these Subdivision Standards and the Arizona Revised Statutes.

Finished grade – The final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

Fire District – The Tusayan Fire District provides fire protection for the Town and will be involved in the review process

Floodplain – Low lands adjoining the channel of a river, stream or watercourse, lake or other body of water, which have been or may be inundated with floodwater, and those other areas subject to flooding. A floodplain may be that area further defined as shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Plats (FIRM) or an approved flood control study.

Floodplain Administrator –the person responsible for implementing the requirements of the Floodplain Management Agency.

Floodplain Management Agency- The agency responsible for floodplain management pursuant to ARS Section 48-3610.

Highway – A roadway owned, operated and maintained by the Arizona Department of Transportation.

Improvements – Required installations, pursuant to these Subdivision Standards and any zoning stipulations, including, but not limited to, grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, street lights, traffic control devices and landscaping as a condition to the approval of the Final Plat, before recordation.

Improvement Plans – A set of plans setting forth the profiles, cross-sections, details, specifications, instructions and procedures to be followed in the construction of public or private improvements in the Town that are prepared and bear the seal of an Arizona-registered land surveyor, engineer, architect or landscape architect in accordance with the approved Preliminary Plat, and zoning stipulations and in compliance with standards of design and construction that are to be approved by the Town Engineer, other Town departments and all applicable utilities.

Improvement standards – A set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the design and construction of required improvements.

Land division - Any change in an existing property line involving subdivision, a regulated land split or a lot line adjustment.

Land split - A division of a property of 2½ acres or less, which does not involve a subdivision, into two or three separate lots.

Lot - A single piece of property having frontage on a publicly dedicated and accepted

street or a private road approved and accepted by the Town and which has been established by a recorded subdivision Plat or otherwise established by some legal instrument of record which is described and noted as such.

Lot corner – The intersection of two (2) or more lot lines, or angle point or change in direction of a lot line.

Lot, corner – A lot located at the intersection of two (2) or more streets (corner lot).

Lot, interior – A lot other than a corner lot.

Lot line – A line dividing one (1) lot from another or from a street or any public place.

Lot, through - A lot that abuts a street along its front and rear property lines.

Lot line adjustment - The relocation of a line dividing two properties.

Notice to Proceed - A notice issued by the Town Manager informing the applicant for approval to proceed with the next stage in the subdivision process.

Open space – Any parcel or area of land or water, natural or improved and set aside, dedicated or reserved for the use and enjoyment of all the residents of the subdivision or the public in general. Open space does not include vacant or undeveloped lots, bike lanes or sidewalks attached to the back of the curb.

Owner – The person or persons holding title by deed to land, or holding title as a vendor under a land contract, or holding any other title of record.

Parcel - A property described by metes and bounds or aliquot description by the government rectangular survey system, and not included in any subdivision.

Plat – A plat meeting the provisions of this chapter that provides for changes in land use or ownership.

Preliminary Plat – A Plat including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with these Subdivision Standards and the Arizona Revised Statutes.

Preliminary Utility Statement – A letter or report submitted with the Preliminary Plat from a registered engineer that will address the proposed utility connections including sewer, water and dry utilities. It will also specifically list the approvals that will be required to be obtained with the construction documents (ie ADEQ, Sanitary District or other private utility approvals).



Pre-application conference – An initial meeting between Developer and Development Review Committee that affords the Developer the opportunity to present his proposals informally with a Concept Plan and discuss the project and address any items of controversy or requirements before the Preliminary Plat is submitted.

Public Improvements - Any right-of-way, easement, access right or physical improvement which, upon formal acceptance by the Town, becomes the responsibility of the Town for ownership, maintenance and repair. Such public improvements may include, but are not limited to, roadways and alley sections including pavement, base course, street lights, curbs and gutters, sidewalks or trails, traffic control improvements, right-of-way landscaping and irrigation systems, drainage facilities, fire hydrants and utilities, including water, sewer, gas, electric power, telephone, and cable television, and all other improvements, which upon completion, are intended to be for the use and enjoyment of the public.

Recorder – The recorder of Coconino County.

Recorded plat – A Final Plat bearing all certificates of approval required by these Subdivision Standards and the Arizona Revised Statutes and duly recorded in the Coconino County recorder's office.

Replat – Re-subdivision.

Re-subdivision - A change in the boundaries of a lot or tract of land which has previously been described in a recorded subdivision.

Review Agencies – Include but are not limited to the Fire District, Private Water Provider, Sanitary District, ADOT, franchise utilities, School District, etc.

Right-of-way – Any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.

Service Provider – The entity that owns and operates a utility system or provides a public service.

Sidewalk – A pedestrian way constructed of Portland cement concrete or other material approved by Town Engineer. Width shall be determined based on the classification of the adjacent roadway in the Tusayan Design Standards.

Street - As defined in ARS §9-463(8), as amended.

Street, arterial - As shown on the Town's General Plan, or a heavily traveled street of considerable continuity and used primarily as a traffic artery for intercommunication between areas.

Street, collector - As shown on the Town's General Plan.

Street, cul-de-sac – A local street having one (1) end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, with backing areas as may be recommended by the Town Engineer.

Street, frontage – A local street parallel to an arterial or collector street or road which intercepts the residential traffic and controls access to the arterial and collector roads.

Street, local – Provides for direct access to residential or other abutting land and serve local traffic movement with connections to roadways of higher classification.

Street, private – Any road or street that is not publicly maintained providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded. Design of which must meet the Town design and construction standards.

Street, public - A street that has been dedicated to the Town for public use and either meets Town design and construction standards, or was dedicated to the Town prior to the adoption of such standards.

Subdivision - Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or manner in which the buildings or airspace above the property shown on the Plat are to be divided. "Subdivision" does not include the following:

1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
2. The partitioning of land in accordance with other common ownership.
3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

Technical review – The detailed review of the Development Master Plans, site plans, Preliminary Plats, improvement plans and Final Plats by the Development Review Committee, for compliance with Town codes, ordinances, standards or conditions of approval by the Commission or Town Council. Other utilities and public agencies are invited to review the Plat as it relates to their conditions of service or need.

Town Engineer - The Town's Engineer or a designee.

Tract – A parcel of land in a subdivision which is dedicated for a specific use other than as a lot. Uses may include common areas, private roads, drainage facilities, recreation sites, parks, open space or other uses.

USC&GS – The United States Coastal and Geodetic Survey.

Utility easement – A public easement for the installation of public utilities; also known as a public utility easement, or "PUE."

Watercourse – Any lake, river, stream, creek, wash, arroyo or other body of water or channel having banks and bed through which waters flow at least periodically.

Water supply, adequate - The Water Adequacy Program implements A.R.S. § 45-108, requiring a developer of subdivided land outside an AMA to obtain a determination from the Arizona Department of Water Resources regarding the availability of water supplies before the land may be marketed for sale or lease to the public. In some cases developers are required to disclose a determination that the water supply is inadequate to potential buyers as required by A.R.S. § 9-463.01.Q

Zone – A District classification established by the Town of Tusayan Zoning Code that limits or permits various or specific uses.

Zoning District – A zone area in which the same Zoning Ordinances apply throughout the District.

# *Town of Tusayan, Arizona*

845 Mustang Drive, Tusayan, Arizona 86023  
Office: 928-638-9909

## **Guidelines for Submitting a Subdivision Application**

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Please complete this application after a review of Title 13 Subdivisions Standards of the Town Code and the Zoning Code. Incomplete applications will not be reviewed and may delay consideration of your project by the Town. If you have questions regarding the process or its requirements please contact the Town of Tusayan at 928-638-9909.

If the Developer is not the current landowner of all the subject property a **signed and notarized statement** shall also be filed attesting that the owner grants the Developer authority to represent the owner in this matter

### **APPLICATION FEES**

See Town of Tusayan Resolution: Fee Schedule for required fees for submittals.

### **SUBMITTAL STANDARDS**

Plans must be drawn to a standard engineering scale (e.g. 1:10, 1:20, but no larger than 1:60) and plotted on a sheet no larger than 24" X 36" in size

**Narrative:** All Submittals shall include a brief narrative describing the proposed project on an 8.5" x 11" sheet. This information will aid staff if providing comments and answering questions about the project. The narrative should include the following

- Project title and date
- Describe project/development request
- Legal description of the parcel
- Site acreage (gross and net)
- Approximate building square footage, lot coverage, and FAR (non-residential projects)
- Number of dwelling units, types (e.g. single-family, duplex, condo, townhome, apartment, etc.)
- Address the impacts of the development on the following issues:
  - Primary access and interior circulation considerations relevant to the property, including vehicular, bicycle and pedestrian ways
  - Major washes and drainage ways
  - Generalized land uses in the vicinity of the site
  - Pending legal problems which may be associated with the property
  - General location of existing vegetation on the site
  - Known historical or archeological resources
  - Flood hazards
  - Preservation of special scenic locations and view corridors
- Any additional information or details pertinent to the case

# *Town of Tusayan, Arizona*

845 Mustang Drive, Tusayan, Arizona 86023  
Office: 928-638-9909

## **APPLICATION CHECKLIST**

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### **Required For Concept Plan**

Application – 1 copy

Fee (See Town of Tusayan Resolution: Fee Schedule)

Concept Plan - 10 copies

Project Narrative – 10 Copies

Preliminary Utility Statement -10 copies

Preliminary Traffic Statement-10 copies

Preliminary Drainage Statement-10 copies

Electronic Submittal (.pdf .jpg or .tif of each document)

### **Required For Development Master Plan**

Application – 1 copy

Fee (See Town of Tusayan Resolution: Fee Schedule)

Development Master Plan - 10 copies

Project Narrative – 10 Copies

Electronic Submittal (.pdf .jpg or .tif of each document)

### **Required For Preliminary Plat**

Application

Fee (See Town of Tusayan Resolution: Fee Schedule)

Preliminary Plat - 10 copies

Preliminary Plat (parcel boundaries)

Grading and Drainage

Utility Plan

Lighting Plan

Landscaping Plan

Project Narrative – 10 Copies

Utility Impact Analysis (if required) -10 Copies

Traffic Impact Analysis (if required) -10 Copies

# *Town of Tusayan, Arizona*

845 Mustang Drive, Tusayan, Arizona 86023  
Office: 928-638-9909

Drainage Impact Analysis (if required) -10 Copies  
Utility "Will Serve" Approval Letters-1 copy  
Draft Covenants, Conditions and Restrictions (CC&R's) (if applicable) -1 copy  
Draft Development Agreement (if applicable) -1 copy  
Electronic Submittal (.pdf .jpg or .tif of each document)

## **Required For Technical Review**

Application  
Fee (See Town of Tusayan Resolution: Fee Schedule)  
Project narrative – 5 Copies  
Construction plans - 5 copies  
Specifications – 5 copies  
Utility Design Approval Letters  
Drainage Report-2 copy  
ADOT Access Permit (if applicable) -1 copy  
Electronic Submittal (.pdf .jpg or .tif of each document)

## **Required For Final Plat**

Application  
Fee (See Town of Tusayan Resolution: Fee Schedule)  
Final Plat - 10 copies  
Utility Approval Letters  
Recorded Development Agreement (if applicable) -1 copy  
Recorded Covenants, Conditions and Restrictions (CC&R's) (if applicable) -1 copy  
Electronic Submittal (.pdf .jpg or .tif of each document)  
Assurances for Public Improvements

# *Town of Tusayan, Arizona*

845 Mustang Drive, Tusayan, Arizona 86023  
Office: 928-638-9909

## **COMPLIANCE REVIEW TIMEFRAMES**

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### **Minor review (No Impact Analysis Required)**

Application Types:

Concept Plan

Preliminary Plat

Development Master Plan

Administrative Completeness Review by Town Manager –Ten (10) working days

Staff Substantive Review – Thirty (30) working days

Overall Time Frame – Forty (40) working days

### **Major Review (Impact Analysis Required)**

Application Types:

Preliminary Plat

Technical Review (Construction Plans)

Final Plat

Administrative Completeness Review by Town Manager –Ten (10) working days

Staff Substantive Review – Forty Five (45) working days

Overall Time Frame – Fifty Five (55) working days

Notes:

1) This time period includes a second review after the return of comments on the first review.

2) Once a complete application has been reviewed by staff within the above timeframes, the document will be submitted to the appropriate Town agency

- The Planning and Zoning Commission shall consider it at its next regularly scheduled meeting (no sooner than 21 days after receipt).
- City Council may consider it at its next regularly scheduled meeting within 60 days after receipt).

# Town of Tusayan, Arizona

845 Mustang Drive, Tusayan, Arizona 86023

Office: 928-638-9909

## SUBDIVISION APPLICATION

### PROPERTY OWNER(S)

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

### APPLICANT(S) (if not Property Owner)

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

### REQUESTED REVIEW

- ☐ Concept Plan  
☐ Preliminary Plat  
☐ Development Master Plan  
☐ Land Split / Combination  
☐ Technical Review  
☐ Final Plat

### SITE INFORMATION

Project Name: \_\_\_\_\_

Site Address: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Existing Use: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Flood Zone: \_\_\_\_\_

Size of Site: \_\_\_\_\_

Please provide the required items per the Submission Checklist and information appropriate for the selected Review.

**Incomplete Submittals will not be scheduled.**

### PROPOSED PROJECT

Proposed Use: \_\_\_\_\_

Number of Lots: \_\_\_\_\_

Number of Units: \_\_\_\_\_

Building Square Feet: \_\_\_\_\_

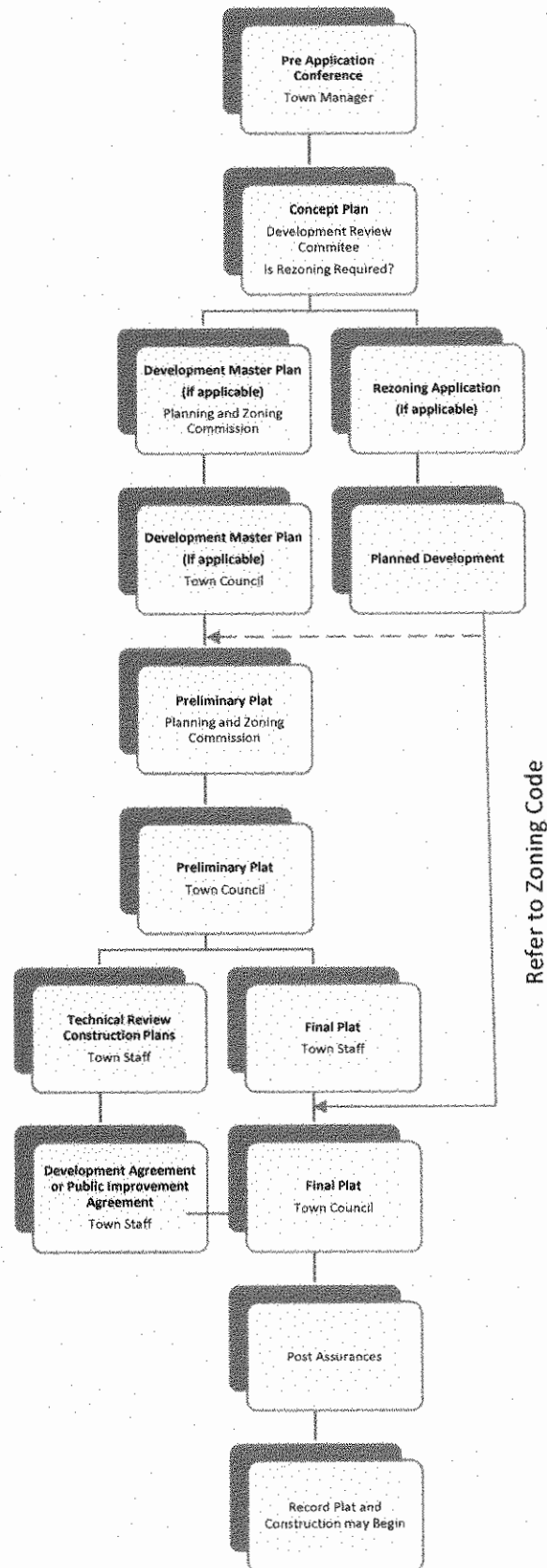
Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_  
(required)

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

For Town Use		
Date Filed	Fee Amount Received	File Number
P&Z Hearing Date _____		
Commission Action	<input type="checkbox"/> Denied <input type="checkbox"/> Approved with Conditions	
Council Hearing Date _____		
Council Action	<input type="checkbox"/> Denied <input type="checkbox"/> Approved with Conditions	



# Town of Tusayan Subdivision Review Process



**ITEM NO. 7B & C**

# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



To: Tusayan Town Council  
From: Interim Town Manager Eric Duthie  
Date: August 5, 2015  
Subject: Investment maturity

The Town of Tusayan created an investment plan earlier this year. The plan invested, through Time Value Investments (TVI), nearly \$3,500,000 (three Million, five hundred thousand dollars) among 14 Certificates of Deposit (CD) for various terms and interest rates. As a general "rule of thumb" for investing - the longer the term, the higher the interest rate.

The first CD to mature was invested for only six months and matured on July 23, 2015. The initial investment of \$249,000 (two hundred, forty-nine thousand dollars) gained \$996 (nine hundred, ninety-six dollars) at 0.40% interest.

Upon review of the investment portfolio with TVI representative, I discussed the following strategy with the TVI representative:

1. Reinvest \$247,000 into a five year (60 month) CD at 2.35% interest. This will generate \$2,840 (two thousand, eight hundred and forty dollars) semiannually;
2. The next CD matures on August 12, 2015 under the same terms as the first CD. The Town shall reinvest \$247,000 into another five year (60 month) CD at 2.35% interest. This will also generate \$2,840 (two thousand, eight hundred and forty dollars) semiannually;
3. As various CD's mature (two in December 2015 and one in January 2016, reinvest each into staggered terms of maturity to attain the highest interest rates;
4. Maintain at least four CD's for short term (6-12 months) access of at least \$1M (one million dollars) for urgent Town need.

TVI agreed with this strategy and described the mechanisms for staggering the CD's to assure \$1,000,000 access with a 12 month period.

The Town Manager may act upon the maturity of the CD's without Council pre-approval, but because the maturity date was during the Town Manager transition, I discussed this strategy with Mayor Bryan and gained his support to reinvest the CD for a 60 month term.

I request Council ratify the reinvestment of July 22, and approve the investment strategy as outlined.

TOWN OF TUSAYAN HOLDINGS							
FDIC Cert:	Description	Maturity Date	Yield	Qty/Time of Investment	Value		
33681	Bank of Baroda	7/23/2015	0.40	1/Six month	\$249,000		
57833	Beal Bank USA	8/12/2015	0.40	1/Six month	\$249,000		
26876	Safra National Bank	12/16/2015	0.40	Nine month	\$249,000		
18203	United Bank	12/21/2015	0.40	Nine month	\$249,000		
29950	Santander Bank	1/28/2016	0.50	1/One Year	\$248,000		
30387	First Bank Puerto Rico	9/30/2016	0.60	1 1/2/Eighteen Month	\$249,000		
34519	Merrick Bank	10/12/2016	0.55	1 1/2/Eighteen Month	\$249,000		
34775	Everbank FL	1/30/2017	0.80	1/Two Year	\$248,000		
34733	Cardinal Bank	1/30/2017	0.80	1/Two year	\$249,000		
5649	Discover Bank	1/30/2017	0.90	1/Two Year	\$248,000		
16004	First Niagra Bank	3/27/2017	0.85	1/Two Year	\$248,000		
33124	Goldman Sachs	1/29/2018	1.35	1/Three Year	\$248,000		
57803	Ally Bank	1/29/2018	1.25	1/Three Year	\$248,000		
27471	American Express Centurion	1/30/2018	1.30	1/Three Year	\$248,000		
4/7/2015	Grand Total				\$3,479,000		

**Alex McCann** | Chief Operations Officer

Time Value Investments, Inc. | 9725 3rd Ave NE, Suite 610 | Seattle, WA 98115

Direct: 206-365-3003 | Toll Free: 877-707-7787 | Fax: 206-417-6000



Securities offered through ProEquities, Inc. a Registered Broker-Dealer, Member,

FINRA & SIPC. Any non-securities activities conducted by Time Value Investments, Inc.

are independent of ProEquities, Inc.

**From:** Eric Duthie [mailto:tusayantownmanager@gmail.com]

**Sent:** Tuesday, July 21, 2015 2:57 PM

**To:** Aaron Bonck

**Subject:** Tusayan Investments

Aaron,

Thank you for the call this morning.

Upon review of the portfolio, the Town of Tusayan makes the following authorization adjustments, statements and direction for investments:

**1. NOT BOND PROCEEDS:**

I notified TVI that the funds being invested are not bond proceeds, municipal escrow investments or reasonably expected to be used as a source of payment for debt service.

**2. AUTHORIZATION ADJUSTMENT:**

Delete Will Wright and replace with Eric Duthie, as authorized to act  
investments and disbursements.

on behalf of the Town of Tusayan for

**3. CD maturity and reinvestment:**

With regard to the CD FDIC # 33681, maturing 7/23/15. The Town of Tusayan wishes to reinvest the CD for a term of 60 months, at 2.30%, as discussed earlier today.

Please confirm receipt of this email and attachments.

7/22/2015

Gmail - TVI Trade Confirmation

Thank you,

Eric Duthie, Interim Manager

Town of Tusayan

928-637-4297 cell

928-638-9909 office

# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



July 15, 2015

Account # Town of Tusayan, Acct #5EQ-792538

The following people are authorized to make investments and disbursements on behalf of

The Town of Tusayan:

Name:

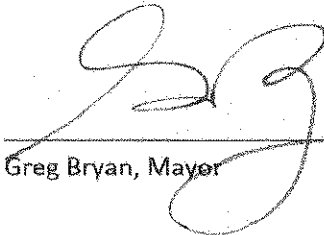
Title:

Eric Duthie

Town Manager

*Please Remove Will Wright. GB*

Sincerely,

  
\_\_\_\_\_  
Greg Bryan, Mayor

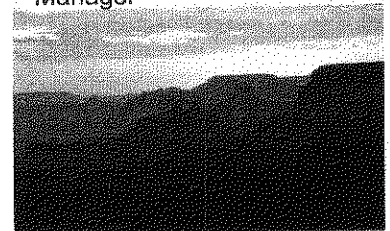
*NOTE: Please attach a copy of the business used for everyone above.*

## Town of Tusayan

the entrance to Grand Canyon National Park

### Eric A. Duthie

Interim Town  
Manager



(928) 638-9909

tusayantownmanager@gmail.com

PO Box 709  
845 Mustang Drive  
Tusayan, AZ 86023

ITEM NO. 7D



# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



July 28, 2015

Mr. Jeff Jacobs, Director of Financial Management  
Arizona Diamondbacks Foundation  
"Diamonds Back" Youth Field Program  
401 East Jefferson Street  
Phoenix, AZ 85004

Dear Mr. Jacobs:

As I did in the last 2 previous years, I'd like to express my sincere appreciation for the Diamondbacks organization and their outstanding history of giving back to our communities, especially to the youth in Arizona. The generous work that has been accomplished by those associated with the Diamondbacks foundations and charities is impressive.

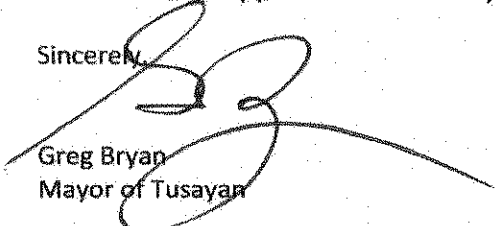
As mayor of the newest incorporated, and 91<sup>st</sup>, town in Arizona, Tusayan, I'd like to introduce you to one of the most remarkable areas of this beautiful State. Tusayan is comprised of a number of tourism-based businesses established through the years to service the estimated 4.7 million visitors traveling from all around the world to see the Grand Canyon each year. These travelers naturally seek some haven for rest and refreshment from their journeys as they explore and experience one of the Seven Wonders of the World, the Grand Canyon.

Tusayan was founded in the early 1900s as a 160 acre farm that provided potatoes and fresh vegetables to the visitors and residents at Grand Canyon Village. As one of several private in-holdings in the Kaibab National Forest, Tusayan's mission to provide fresh food for its many visitors evolved with the progress made in transportation and communication to now include over 1,000 hotel rooms, about 20 restaurants, also with a seating capacity for over 1,000 people, an IMAX theater that seats about 500 people, a couple of jeep tour operators, a General Store, and other ventures. These businesses, along with our governmental agencies (a fire district, water companies, and a sanitary district) are all primarily located on the original 160 acres that comprise the Town of Tusayan.

I briefly share these historical facts above to give a brief background to the unique challenges our area faces. As you can imagine it takes a lot of employees to staff these service industries and government agencies. This grant request to build a baseball field will serve the citizens of the three communities of Tusayan, Valle and Grand Canyon Village, who serve so many each day of their lives. Our community park is a joint venture between the town and the Grand Canyon School District. This baseball field, as part of the community park, will provide our people with recreational opportunities which are widely available throughout Arizona, but, due to our unique challenges, have not yet been developed here. Putting some play back into the lives of these good people is so important for a well-balanced community and lifestyle.

Thank you for your consideration of this proposal and know that our communities have been working hard for years to make a community park become a reality. This generous grant will help make a big portion of the park possible.

Sincerely,

  
Greg Bryan  
Mayor of Tusayan

Grand Canyon Unified School District # 4

Box 519 - 100 Boulder Street

Grand Canyon, AZ 86023

Phone: 928-638-2461 • Fax: 928-638-2045



July 29, 2014

Mr. Jeff Jacobs, Director of Financial Management  
Arizona Diamondbacks Foundation  
"Diamonds Back" Youth Field Program  
401 East Jefferson Street  
Phoenix, AZ 85004

Dear Mr. Jacobs:

I am writing you in support of the years spent working to improve the lives of the residents at the South Rim of the Grand Canyon. With 300+ children enrolled in the Grand Canyon Unified School District and 3,000+ local residents that contribute to our community, our resources are limited while our needs are great. Our community services over 4.5 million visitors every year from across the globe. This icon of Arizona is commonly referred to and often used as a meeting place for dignitaries and celebrations. While it's an incredible place to live, the basic necessities of families and the lack of community services places a strain on the working families and thus affects our children. No one can live here and not work. Our demographic is represented by younger folks more than other towns in Arizona and one cannot retire here.

To improve the quality of life, the Town of Tusayan, our School District and many volunteers have been working together to provide recreational opportunities for local families. GCUSD owns the property and participates in the forward momentum towards the construction of Ball Fields and Basket Ball courts. The master plan started with estimated costs north of \$4 million for construction, and with the Town's continued support, voluntary contributions as well as generous community donations, we have been successful with completion of the basketball court and playground. The Soccer and Baseball Fields are cleared, ready for the next phase, and we are currently running \$80,000 under prospected budget.

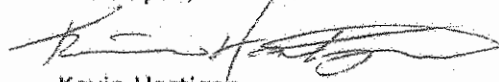
Not one day passes without the use of the Basketball Courts. The communities' response to the parks installation was instantaneous, and everyone is excited for the future completion. The easy parts have been completed, and we are moving to a phase with high costs looming, that are slowing our progress. Too many animals live in the area, elk and deer, and once they see the grass growing, damage will occur to the field without fencing. We are struggling to maintain momentum on the field construction, which is why we are desperately seeking your assistance. Our community is the only one in Coconino County that does not have a park.

Can you imagine a community with no park! No place for the residents to congregate. No place to have a family game day and picnic. Though we live next to a national park, it is difficult, if not impossible, to hold these activities on the Bright Angel Trail. The lighting for the fields needs to be addressed as well, for many nights our efforts will go without successful use, without this infrastructure.

As the Local Representative with APS at the Grand Canyon and also the President of the School Board, I have spent 4 years of my own time on this project. Countless others have dedicated many more hours than myself in making our community stronger and healthier than just providing a good experience for all the tourists. We need your assistance to complete the first official sized baseball field in our community enabling our proud residents to sponsor tournaments, games, practices, and provide basic family fun for all the families that work so hard to make this special place great for those who work, live and visit Arizona, the Grand Canyon State.

While our numbers might be low, our needs are many, and we represent the world for those visiting Arizona's crown jewel. I would like to thank you for your assistance in our quest. Any help is greatly appreciated and will not go unnoticed, as we touch the world in a way no other community can.

Thank you,



Kevin Hartigan

School Board President GCUSD#4

APS Local Representative

[kthartigan@grandcanyonschool.org](mailto:kthartigan@grandcanyonschool.org)

[Kevin.hartigan@aps.com](mailto:Kevin.hartigan@aps.com)

602-663-7194 cell

928-638-8265 office

## **"Diamonds Back" Youth Field Building Application**

Application Date: July 30, 2015

Applicant Program/Organization: The Town of Tusayan and the Grand Canyon Unified School District #4

Contact Name: Eric Duthie, Tusayan Town Mgr. and Kevin Hartigan, Board President for Grand Canyon USD

Phone Number: 928-638-9909 and/or 928-638-2461 x453 Fax Number: 928-638-9910 and/or 928-638-2461 x400

Email Address: tusayantownmanager@gmail.com and khartigan@grandcanyonschool.org

Address: 845 Mustang Drive, Tusayan, AZ 86023 with a mailing address of PO Box 709, Grand Canyon, AZ 86023

Non-profit status and number: Local government, Federal Identification Number 61-1617477

1. This grant request is for the following purpose: (choose one)

New Field/Facility Construction ☒ New/ Replacement Lighting ☐ Other ☐

2. Please provide a brief description of your proposed project (new build or renovation), the current condition of the field (if applicable), and list the specific needs for this field.

This project will develop a community baseball field that will also serve as the Grand Canyon High School baseball field. This field, along with other park amenities, will be available to the residents of the Town of Tusayan, the Grand Canyon National Park and the community of Valle, who will utilize this park for a number of recreational activities, including basketball courts, a tot lot playground, which was completed last year (see newspaper article). In addition, the community and school plan to construct a soccer field and put in public restrooms with storage this year to better serve the community's needs.

This proposal is to construct a baseball field to high school specifications, which area was recently cleared of trees and shrubs by a County crew. The Town Council has had the engineering and design specifications performed in order to bring in top soil for the field. This request will complete the grading work for the installation of an irrigation sprinkler system using reclaimed water, hydro seeding the grass for the fields and putting in an infield, install the fencing for the field and team dugouts, and the purchase of bleachers for the fans, as well as look at putting in lighting for the baseball field.

In short, this is the first baseball field for our community that will also serve the Grand Canyon High School baseball team whose current field inside the National Park has significant limitations. This grant request will provide all the facets briefly described as needed to construct a baseball field that will serve the residents of the three communities in this area as well as the Grand Canyon High School baseball team. See attached budget estimate of \$652,000 for the cost to develop this baseball field, including \$300,000 to provide lighting for this baseball field.

3. **Organizational background:** Provide a brief description of your organization/league and describe the constituency it serves. Include any partnering entities and their roles.

The Grand School District acquired eighty (80) acres of Forest Service land under the Education Land Grant Act (ELGA) for a future school site in 2008. The School then entered into an Intergovernmental Agreement (IGA) in 2012 with the Town of Tusayan "... to construct or cause to be constructed several ball fields, walking trails, picnic areas, and a playground ..." on a 16 acre section of this parcel that was set aside for the development of a community park, including a baseball field.

The School and Town formed a Park Committee comprised of two members of the School Board and two from the Town Council, along with staff from both organizations, charged with creating a plan to develop a community park. The recreational amenities described above would benefit the residents of three area communities including, the Grand Canyon National Park, the Town of Tusayan and the community of Valle. This field will also serve as the High School baseball field, which is currently in the National Park and has area limitations for the team as well as visiting teams and their fans.

There was a Little League baseball program that in the past few years had to be cancelled due to a lack of facilities and funding challenges. There is currently an adult co-ed softball league consisting of seven to eight teams with an average of 15 members to a team playing in the area. However, according to their organizer this league can only run for a couple of months with limited play due to challenges in the Park. They currently use the high school field which is not lighted and must shorten the season when the school starts back in early August. Also, this field only allows for day use which significantly limits the play of this league as only one game can fit into the daylight schedule.

4. Demographics: Describe the socio-economic nature of the neighborhood location and what impact this field will have on the community.

Unfortunately, the 2010 Census for the Town of Tusayan does not contain a lot of data indicating the income levels or economic nature of the communities. However, the 2010 Census does show that the Grand Canyon Village and Town of Tusayan's population is 2,627 with 20.5 percent of the people at or below the poverty level. There are about 457 youth under the age of 19 years of age. It is anticipated that this baseball field would have a tremendous impact on bringing the people of these three communities together by providing recreational opportunities. As a result, the people have been working tirelessly through local donations and volunteerism to construct this park so that the youth and families in this area can enjoy the playground and athletic amenities important to every community.

5. Usage: Who uses this field? (Leagues, organizations? Who determines usage?)

As briefly described above, the high school has a need for a better baseball field as it is undersized and has no ability to expand its current facility due to being the only public school located in a National Park in the United States. Additionally, there is currently an adult coed league of over 100 participants that would like to expand to have all male and/or female leagues and there is a need for youth baseball leagues, which would be possible if they had more facilities for baseball on which to practice and play.

6. How many children use this field?

Since this is a new field, it is difficult to estimate how much usage it will get. However, there are currently just over 300 students in the Grand Canyon Schools with approximately 90 being in high school. The Grand Canyon Unified School District #4 educates students from all three communities. Several people expressed a desire to have a league for the youth, but without adequate facilities, it is virtually impossible for that to happen. The Census indicated there are 457 youth 19 years or younger in Grand Canyon Village and the Town of Tusayan.

7. Location: Give directions/major crossroads.

Tusayan is located on Highway 64 about seven miles south of Grand Canyon Village. It is about 50 miles north of Interstate 40 with Valle about 19 miles south of Tusayan along Highway 64. The park is located on Long Jim Loop about 1/2 mile west of Highway 64.

8. Is this an existing field, or a brand new site? This will be a brand new field.  
9. Type, size of field: (i.e. Little League, Softball, Regulation) This will be a regulation high school field of 310 feet down the line from home plate to the outfield fence.  
10. Owner of field: (i.e. Individual, City, County, Church, League)

As explained earlier, the Grand Canyon School District owns the land, however, the town through an IGA is working through partnerships to develop a community park that will, among other recreational amenities, include a baseball field to serve the residents of this region as well as the high school.

11. Who will maintain the field? Is maintenance budgeted?

The Town of Tusayan currently has the responsibility for maintaining the park and would assume the maintenance of this field upon completion. There are funds set aside in the FY14-15 budget for park operations, including maintenance. The budget is approved annually by the Town Council and is reviewed/modified each year to ensure appropriate, among other things, the care and maintenance of this facility is appropriately funded in coming fiscal year, which begins July 1st.

12. In addition to the proposed site, are there any other baseball/softball fields currently serving this league/community? (Please list with names and locations.)

The only baseball field available for residents in this region is located in the National Park at the high school. This alone constrains community-wide use of this facility for the three area communities and due to the age of this facility and land limitations as well as funding challenges it is highly improbable that any additional field(s) or amenities could be placed in the National Park.

13. What improvements have been done and by whom?

This community park now has a sport court, a tot lot with a few picnic tables for public use. This project is for the construction of a new baseball field on a site that has been surveyed, cleared and grubbed, engineered with design specifications in order to bring in top soil and to perform the grading for the fields. Further, a full service restroom facility will be constructed this coming year.

14. What other funding have you applied for?

The Town of Tusayan was awarded a Community Development Block Grant (CDBG) to install public restrooms at this park. This \$245,000 grant has a \$50,000 match from the town to complete the restrooms by the end of FY2015. Additionally, town and local donations of about \$400,000 have been used for the construction of a sport court, a tot lot area as well as picnic tables with the town taking the lead to raise public funds to construct the baseball and soccer fields.

15. What other funding have you secured?

Both the public and private sectors have contributed considerable resources to develop this community park. For example, the town and the school through donated funds have contributed over \$400,000 for the construction of the basketball sport courts with fencing and the tot lot playground. Further, private businesses such as the Best Western Grand Canyon Squire Inn, Red Feather Lodge, Xanterra, the Stilo Group, Canyon Plaza have given over \$125,000 to assist with these amenities mentioned above. Additionally, many citizens from the community and these organizations, as well as the Fire District, the Grand Canyon National Park Airport and Fire Department, Coconino County, B's Construction, Papillon Airways, 7 Mile Lodge, McDonald's, Grand Canyon School teachers and staff, US Forest Service, Grand Canyon Camper Village, South Grand Canyon Sanitary District and other local businesses, including APS have made contributions and sent volunteers to work on these facilities. In short, this park has been a true partnership of public and private sectors that have contributed over \$500,000 in the past few years to put in the above-noted recreational facilities to enhance the quality of life for the residents of the three communities and hope to partner with others to put in additional park amenities.

16. What type of in-kind donations (labor, equipment, materials) has/can your organization secure(d)?

The organizations noted-above will continue to donate labor, equipment and materials as available for the ongoing development of this park, including the baseball field, as well as the future facilities planned for this community park.



17. What is the timetable for this project?

The timetable for this project is like everything else, tied to funding and available resources. The assistance of the 'Diamonds Back' Youth Field Building program would greatly increase the community's ability to construct this baseball field within an estimated 12 to 18 months. However, without this funding assistance it would take several years longer or more as other factors come into play with ongoing efforts to get the funding needed to build this baseball field.

18. Additional Narrative: What other conditions or circumstances, additional information can you give to support your application? (Please use space available)

The Grand Canyon Village located in the National Park, the Town of Tusayan and Valle are unique communities in that about 4.7 million visitors annually pass through this area from around the world to experience the Grand Canyon. It takes a lot of people (residents) to service this number of visitors and it is primarily for these families that this park is being developed, including this baseball field.

A survey of the people was taken by the School District when this land was initially obtained in about 2008 to determine the most important areas of interest for the people in the development of this park. The top five areas of interest included a baseball field, a soccer field, playground, picnic tables, and restroom facilities. The Park Committee developed a plan, which enlisted many community volunteers, and has already solicited significant local contributions, that when combined with school and town resources has successfully developed several recreational amenities to provide a park for the good of those who live, work and visit this area.

The vision for this park, shared by so many citizens of these communities, has encouraged increased cooperation and consideration among neighbors, as well as instilled greater pride in this place by the people who live and work here. Up until the plans for this park, there was little play going on in this area, due in large part, to a lack of recreational amenities available for the residents. I know it may sound strange in a place where so many millions of visitors come, but the fact is, there are few recreational opportunities for those who live here because of limited private land available and land use restrictions. Remember what they say about all work and no play, then you'll begin to appreciate the importance of developing a baseball field in this park.

It is for these reasons, that we respectfully request the favorable consideration of this funding for a facility to serve the people who constantly serve the many visitors who come to experience the true treasure of Arizona, the Grand Canyon State. This request for \$652,000 is supported by the attached construction estimate issued by the school/town Park Committee provided by Michael Taylor Architects, Inc., who has worked for the school and various businesses in this area through the years. Electricity is onsite and a reclaimed waterline is adjacent to this site along Long Jim Loop and currently feeds a fire hydrant and serves this area of town, including this park site.

Please attach any photos, plans, budget projections, estimates, pledges etc. for this project.

**Please submit this application to: The Arizona Diamondbacks Foundation**

**Attn: Jeff Jacobs**

**401 East Jefferson Street**

**Phoenix, AZ 85004**



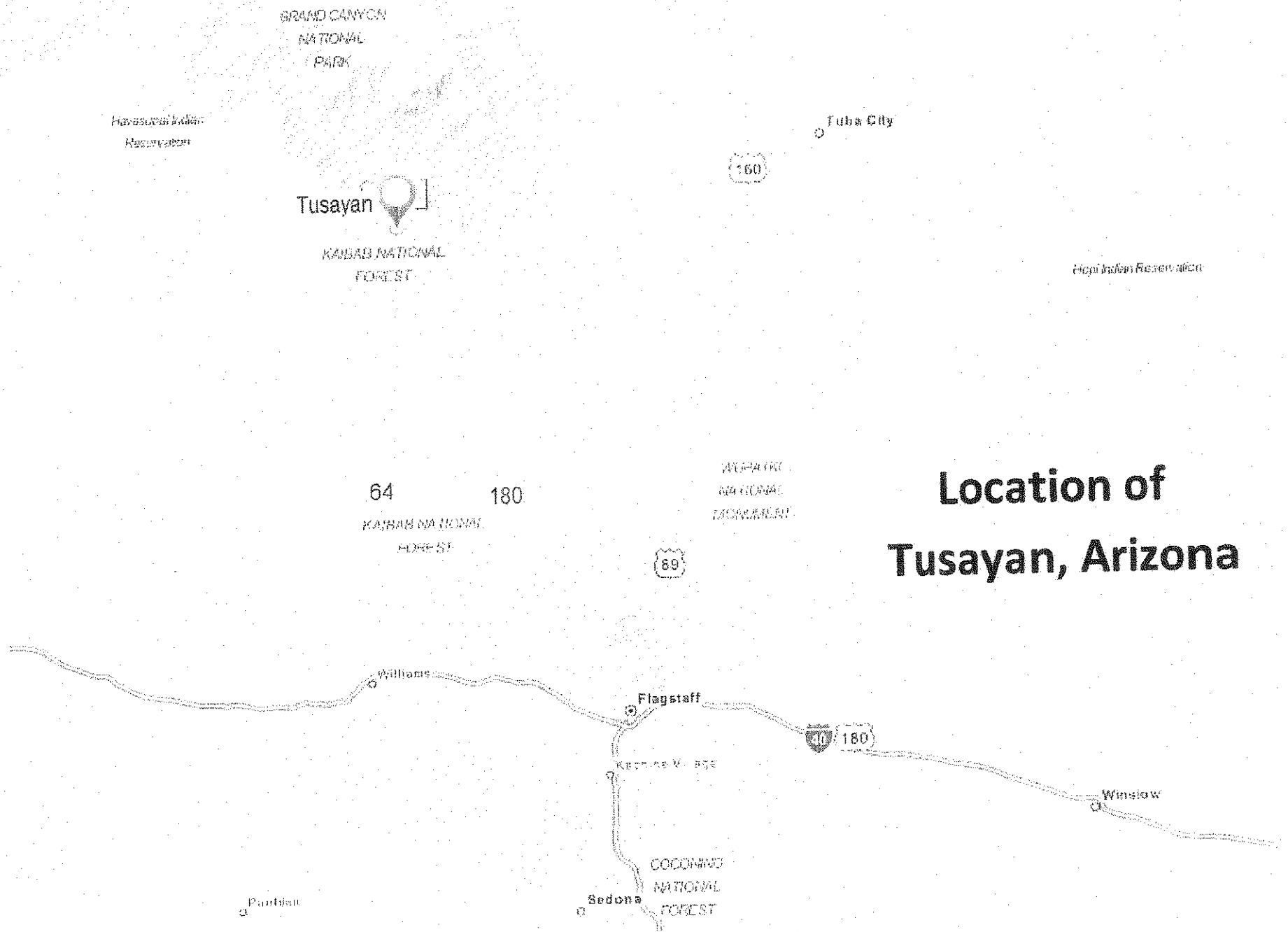
Michael Taylor Architects, Inc.

Tusayan Community Park  
Baseball Field  
Conceptual Estimate  
4-1-13

Below is a conceptual estimate for a proposed baseball field at the Tusayan Community Park located on Grand Canyon Unified School District property. This estimate is not based on survey data, construction documents or geotechnical data as none were available at the time of this estimate.

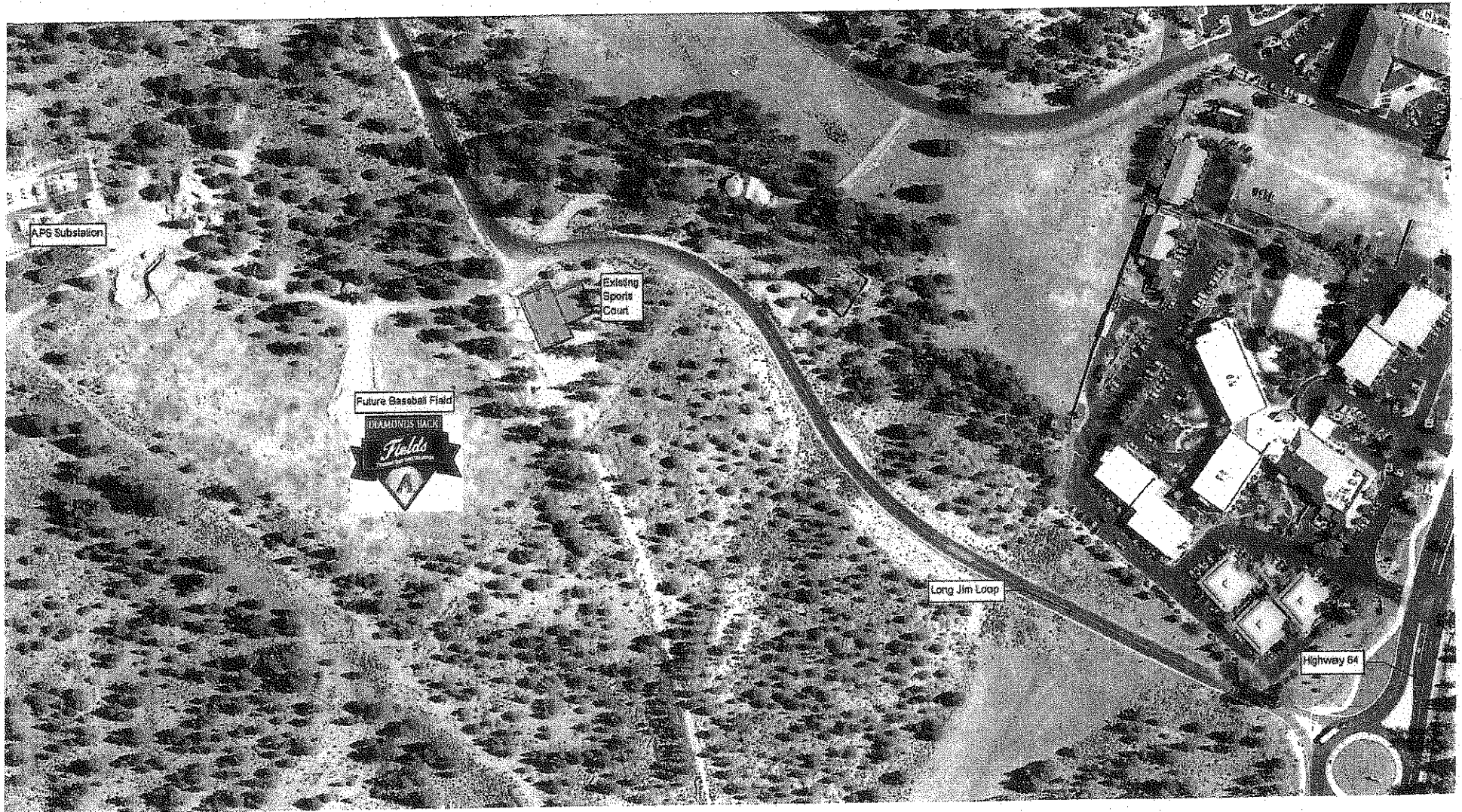
Clear and grub	\$ 30,000.00
Import, grade and compact base materials	\$ 50,000.00
Import, grade and compact topsoil materials (assumes 2000 cy hauled from infiltration basins)	\$ 60,000.00
Install irrigation system (assumes water available at the street with no off-site improvements)	\$ 80,000.00
Seeding	\$ 20,000.00
In-field mix and preparation	\$ 25,000.00
Fencing	\$ 25,000.00
Dugouts	\$ 30,000.00
Sub-Total	\$320,000.00
Contingency	\$ 32,000.00
Total	\$352,000.00
Lighting	\$300,000.00
Additional parking (if necessary)	\$50-\$200K
Architectural/Engineering fees	\$ 35,000.00

Michael Taylor Architects, Inc. 1000 N. 1st St. Suite 1000 Phoenix, AZ 85004-1000



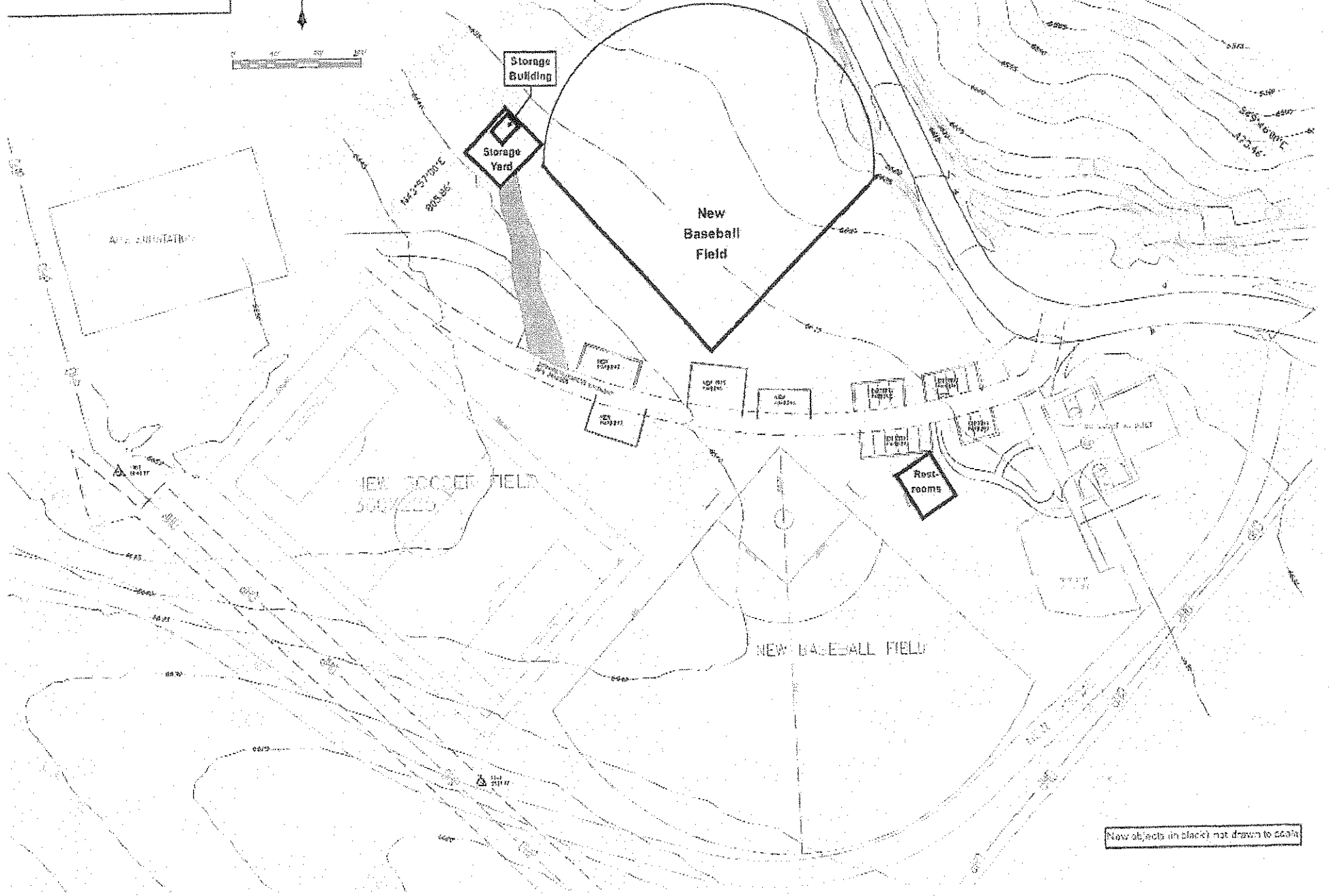
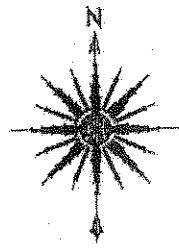
## Location of Tusayan, Arizona

# Tusayan Community Park



Proposed Location of Baseball Field

# Revised Community Park Map



Now objects (in black) not drawn to scale

# TUSAYAN COMMUNITY BUILD DAY

---

at the "Tot Lot" at the Community Park  
on Long Jim Loop

Saturday, July 27, 2013 starting at 8am



Please join us in installing the protective ground cover under the play equipment.

We can use a lot of hands to move and spread it and the tools will be supplied.

Lunch will be provided for workers.

For more information call Town Hall at (928) 638-9909.



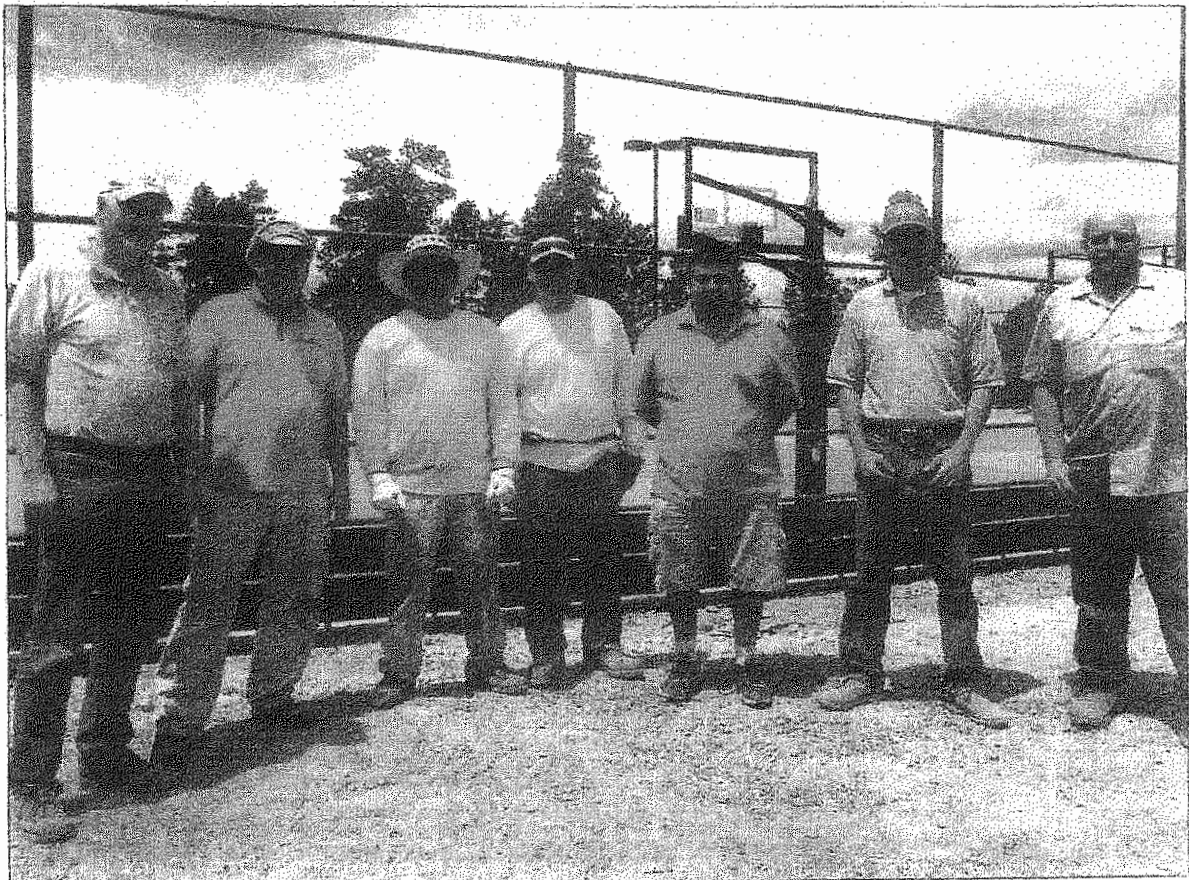
Wednesday, July 24, 2013

# GRAND CANYON N

Experience the Scenic Wonder

Visit us online at [grandcanyonnews.com](http://grandcanyonnews.com)

*If you build it...the kids will come*



From left to right, Steve Moore, Charles DeBuck, Gabriel Calderon, Martin Dera, Project Manager Andrew Aldaz, Brian Bombardieri, and Travis Whited take a break from working on the tot lot at Tusayan's school/community park. The town plans to sponsor a Community Build Day this Saturday at 8:30 a.m. for the public to help install the protective ground cover under the equipment. The town will supply any necessary tools and give volunteers a free lunch. More information is available by calling the Town Hall at (928) 638-9909. *Ryan Williams/WGCN*

ITEM NO. 7E

# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



To: USDA Rural Community Development Initiative grant (RCDI)

From: Town of Tusayan, AZ

Date: August 5, 2015

Subject: Matching funds availability

The Town of Tusayan is a partner in a regional application for grants through the U.S.D.A. Rural Community Development Initiative grant (RCDI). Arizona Telecommunications Information Council (ATIC), a non-profit, is the Intermediary. The recipients are the Town of Tusayan, the Copper Corridor and the City of Benson. There are 12 rural communities within the three regions.

The Town of Tusayan affirms that funds in the amount of Forty Thousand dollars are, and will remain, available for the matching funds requirement.

The recipient is:

Town of Tusayan, Arizona.  
P.O. Box 709  
845 Mustang Drive  
Tusayan, AZ 86023.

Tusayan is located in Coconino County, AZ.  
Tusayan is within Arizona Congressional District 1.  
The primary contact is Interim Town Manager Eric Duthie, 928-638-9909.

Respectfully,

---

Greg Bryan  
Mayor  
Town of Tusayan



**ASSURANCE AGREEMENT**  
(Under Title VI, Civil Rights Act of 1964)

FORM APPROVED  
OMB No. 0575-0018  
OMB No. 0570-0061  
OMB No. 0570-0062  
OMB No. 0572-0137

The Town of Tusayan, Arizona  
(name of recipient)

P.O. Box 709, 845 Mustang Drive, Tusayan, AZ 86023

(address)

("Recipient" herein) hereby assures the U. S. Department of Agriculture that Recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d et. seq.), 7 CFR Part 15, and Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, Risk Management Agency, or the Farm Service Agency, (hereafter known as the "Agency") regulations promulgated thereunder, 7 C.F.R. § 1901.202. In accordance with that Act and the regulations referred to above, Recipient agrees that in connection with any program or activity for which Recipient receives Federal financial assistance (as such term is defined in 7 C.F.R. § 15.2) no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination.

1. Recipient agrees that any transfer of any aided facility, other than personal property, by sale, lease or other conveyance of contract, shall be, and shall be made expressly, subject to the obligations of this agreement and transferee's assumption thereof.
2. Recipient shall:
  - (a) Keep such records and submit to the Government such timely, complete, and accurate information as the Government may determine to be necessary to ascertain our/my compliance with this agreement and the regulations.
  - (b) Permit access by authorized employees of the Agency or the U.S. Department of Agriculture during normal business hours to such books, records, accounts and other sources of information and its facilities as may be pertinent to ascertaining such compliance.
  - (c) Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Agency or the U. S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
3. The obligations of this agreement shall continue:
  - (a) As to any real property, including any structure, acquired or improved with the aid of the Federal financial assistance, so long as such real property is used for the purpose for which the Federal financial assistance is made or for another purpose which affords similar services or benefits, or for as long as the Recipient retains ownership or possession of the property, whichever is longer.
  - (b) As to any personal property acquired or improved with the aid of the Federal financial assistance, so long as Recipient retains ownership or possession of the property.
  - (c) As to any other aided facility or activity, until the last advance of funds under the loan or grant has been made.
4. Upon any breach or violation this agreement the Government may, at its option:
  - (a) Terminate or refuse to render or continue financial assistance for the aid of the property, facility, project, service or activity.
  - (b) Enforce this agreement by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the breach or violation occurs.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, Town of Tusayan, AZ on this  
(name of recipient)

date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.

(SEAL)

08-03-2015

Recipient

Date

Mayor

Attest: \_\_\_\_\_  
Title

Title

ITEM NO. 7F

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

From: Janet Rosener <jrosener@ngvccanyon.com>

Date: 07/15/2015 3:22 PM (GMT-07:00)

To: gbtusayan@gmail.com

Subject: Bench donation - Dale Shewalter

Hello Mr. Mayor,

Hope this finds you well and enjoying the summer. As you may remember from the opening of the Arizona Trail exhibit in the courtyard, Dale Shewalter is considered the "Father of the Arizona Trail". It was his vision to build the trail from one boarder of Arizona to the other. Dale's sister, Laurie Martin, has had custom benches made to honor his legacy, one is in Buffalo Park in Flagstaff and another at Mormon Lake. She would like to donate one to the Town of Tusayan as one of the newly named gateway communities. I met her last year and she gave me a photo of one, they are beautifully made of marble with a bronze plaque. She called me a couple of days ago asking if I thought the town would like one, so that is the reason for this email, I told her I would contact you to ask. She said that she pays about \$5,000 for each one that she has made.

If interested, you can contact her directly, (928) 231-7944.

Best regards,

jr

Janet Rosener

General Manager

National Geographic Visitor Center

PO Box 3309

450 State Route 64

Grand Canyon, AZ 86023

(928) 638-2468



Will Wright &lt;tusayantownmanager@gmail.com&gt;

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**Fwd: FW: Bench photo**

1 message

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**greg bryan** <gbtusayan@gmail.com>

Thu, Jul 16, 2015 at 11:44 AM

To: Will Wright &lt;tusayantownmanager@gmail.com&gt;

Eric -

Here is a photo of a bench a woman is willing to donate to the town in memory of her father, who was a founder of the Arizona Trail. I will send you another email giving more background. Your thoughts? We could install in one of the wider spots on our sidewalk.

Greg

Greg Bryan

Mayor

Town of Tusayan

South Entrance to Grand Canyon National Park

928-638-8401 gbtusayan@gmail.com

**Vision to see Faith to believe Courage to do**

----- Forwarded message -----

From: **Janet Rosener** <jrosener@ngvccanyon.com>

Date: Thu, Jul 16, 2015 at 11:04 AM

Subject: FW: Bench photo

To: gbtusayan@gmail.com

Greg,

Here is the photo of the bench in Flagstaff that Laurie gave me. I'll let you know the approximate dimensions, each one is unique. (It does not come with Dale's hat).

jr

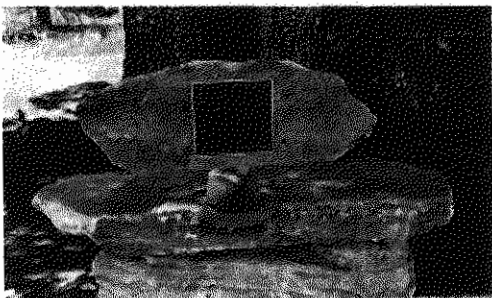
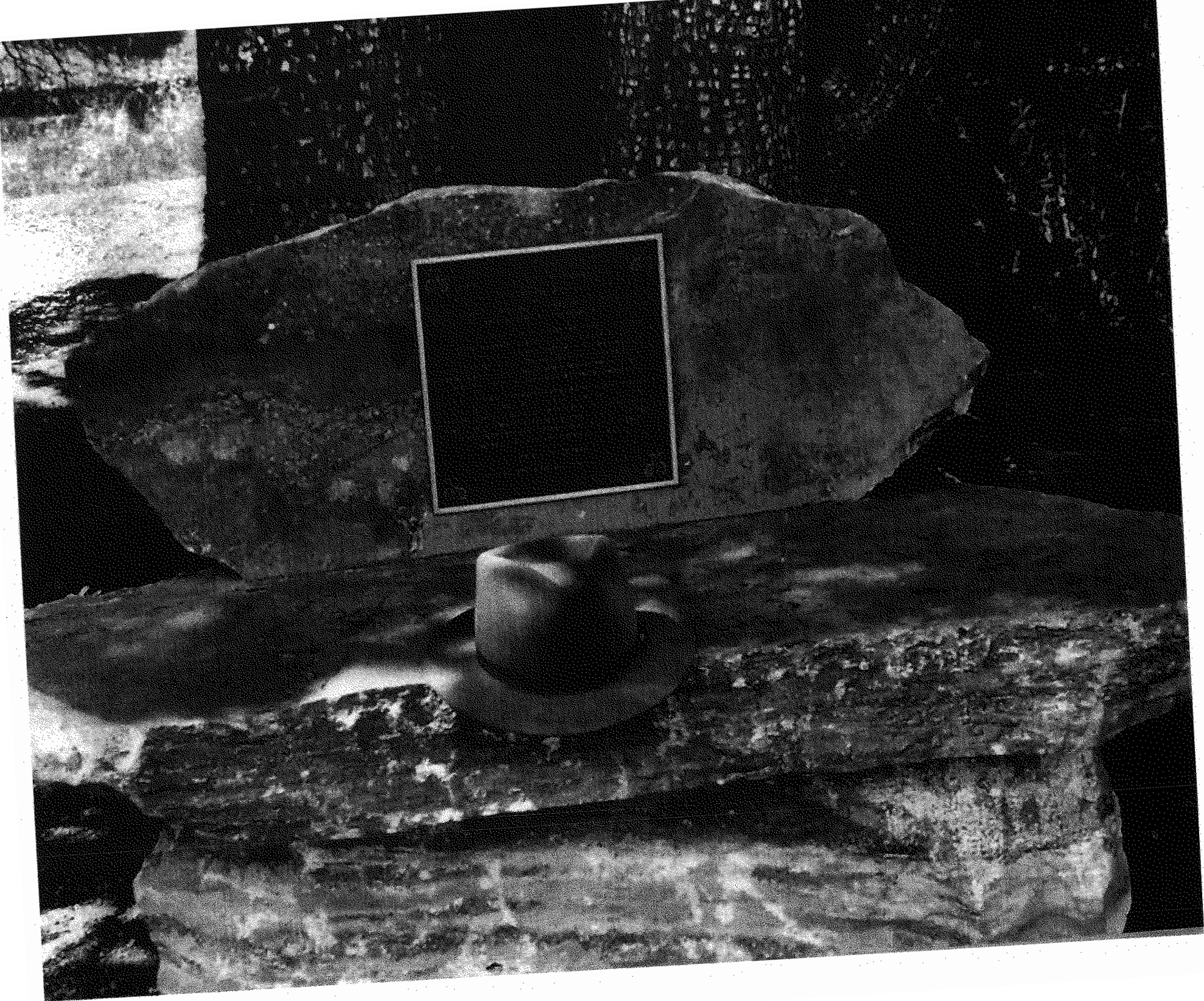


Photo Jul 16, 8 37 01 AM.jpg  
214K



ITEM NO. 7G

# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



To: Tusayan Town Council  
From: Interim Town Manager Eric Duthie  
Date: August 5, 2015  
Subject: League Resolutions

At the annual conference of the Arizona League of Cities and Towns, an elected officials Resolution Committee assembles. The purpose of this assembly is to review and recommend Resolutions for League lobbying during the next legislative session. These Resolutions are submitted by the cities and towns in Arizona. This year, Councilmember Rueter has been appointed as the Resolutions Committee representative from Tusayan. He will attend and have the right to discuss and cast votes on each Resolution.

There are numerous and varied Resolutions for consideration, and each of you received an email containing the Resolution packet. In this memorandum, I identify specific Resolutions which staff believes impact Tusayan directly. These Resolutions are presented for Council discussion and direction in voting.

## Budget, Finance, and Economic Development Policy Committee (BFED)

- Seeks a study by the League staff to examine the structure of the state shared sales tax distribution formula and make recommendations on possible improvements – City of Scottsdale.

The City of Scottsdale states the issue is to explore the state shared sales tax revenue system to determine if there are inequities that can be resolved. Committee members noted that the data necessary to accurately determine how much each city contributes to the shared system may not be currently available among all cities and towns. Without that data, it is difficult to measure the statewide impact. After significant deliberation, the committee amended the original proposal and recommended that League staff further study the issue.

- Seek legislation to provide for additional revenue generation authority to address the changing landscape of the Arizona economy, and address the shift in growth that directly impacts the current statewide revenue models. – City of Prescott.

The City of Prescott remarked that revenue sources are increasingly restricted and the changing economy requires municipalities to study alternative methods



# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



of raising revenue. Committee members voted to work on this issue with League staff and other interested parties.

## General Administration, Human Resources and Elections Policy Committee (GAHRE)

- Amend Arizona Revised Statutes (A.R.S.) § 39-121.01 to allow cities and towns to place reasonable balances on public record requests that are overbroad or abusive and on the frequency on requests – City of Yuma

The City of Yuma provided background on Policy Issue 5 and informed the members of the Committee that they had consensus legislation that they had drafted last year with the newspaper Industry and an industry representative at the meeting confirmed that they were in support of the legislation that was considered in last year's session.

Committee members voted to move forward as a Resolution.

- Affirmatively reject, oppose and renounce legislative proposals that are unfunded, diminish local authority, address matters of purely local concern, or that conflict with the organic law of Arizona's charter cities – City of Yuma
- Strengthen efforts of cities and towns to retain local control. Rights of municipalities to self-determine local legislation that reflects the desires of our community residents has been diminished notably in recent years - City of Flagstaff

Discussion on both issues related to ongoing efforts of the League to protect local control and charter authority. Specific discussion was had concerning how to strengthen the League's ability to fight legislation that diminishes city and town authority to determine its own destiny. Committee members determined these issues were included within the continuing "Guiding Principles" provided each year in the League's Policy Statement. Committee members voted to move to move forward as a Guiding Principles in the League's Policy Statement

## Neighborhoods, Sustainability and Quality of Life (NSQL)

- Restore the Arizona Housing Trust Fund – City of Flagstaff

The City of Flagstaff proposed that the state should restore the Arizona Housing Trust Fund. Currently the fund is capped at \$2.5 million. The fund was created in 1988 to provide a flexible funding source to assist in meeting the needs of low-income households in Arizona. The Fund receives money from the sale of unclaimed property, such as stocks or savings accounts abandoned by the owner, often due to a death without a will. Prior to the Great Recession, the



# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



Fund received over \$30 million annually. In 2010, the Fund was capped at \$2.5 million. Restoration of funding will enable a greater number of grant applications to be funded and other funding to be leveraged. This Fund has the potential to bring much needed funding to communities to address housing needs, either through the city, town or a non-profit application for use to further local housing objectives. Committee members moved this issue forward as a Resolution.

## Transportation, Infrastructure, and Public Works Policy Committee (TIPW)

- Stop future sweeps of Highway User Revenue Funds (HURF) allocated to Arizona cities and towns, and to restore HURF funding to FY2008 levels – City of Yuma

The City of Yuma stated HURF funds are for the purpose of construction, improvements and maintenance of streets and roadways. The State has swept portions of these revenues each year since FY2008, mainly to support Arizona Department of Public Safety (DPS). These sweeps directly contribute to delayed maintenance on streets which has caused many streets to now need total replacement, at a much greater cost. Poor condition of transportation infrastructure is a detriment to attracting new commerce and industry. Committee members voted to move this issue forward as a resolution.